

103D CONGRESS  
1ST SESSION

# H. R. 3520

To amend title 18, United States Code, to provide increased penalties for damaging Federal property by fire, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 1993

Mr. COX (for himself, Mr. DOOLITTLE, Mr. BAKER of California, Mr. HUFFINGTON, Mr. MOORHEAD, Mr. HERGER, Mr. HORN, Mr. ROYCE, Mr. LEWIS of California, Mr. ROHRABACHER, Mr. PACKARD, Mr. CUNNINGHAM, Mr. GALLEGLY, Mr. HUNTER, Ms. HARMAN, Mr. CALVERT, Mr. DREIER, Mr. KIM, Mr. POMBO, Mr. MCKEON, Mr. DORNAN, Mr. THOMAS of California, Mr. BALLENGER, Mr. MCCANDLESS, and Mr. WELDON) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to provide increased penalties for damaging Federal property by fire, 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.**

4 This Act may be cited as the “Arson Prevention and  
5 National Forest Protection Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1           (1) billions of dollars of damage will have oc-  
2 curred this year as a result of arson, particularly in  
3 California;

4           (2) uninsured losses from California's fire dis-  
5 aster will place hugh demands on the Federal treas-  
6 ury, which our already strapped budget can ill af-  
7 ford;

8           (3) unless Congress takes tough action against  
9 arson, taxpayers across America will continue to be  
10 threatened;

11           (4) arson is an enormously serious and costly  
12 problem in both rural and urban areas, and is re-  
13 sponsible for approximately 25 percent of all fires in  
14 the United States;

15           (5) arson is a leading cause of fire deaths, ac-  
16 counting for approximately 700 deaths annually in  
17 the United States;

18           (6) arson is the leading cause of property dam-  
19 age due to fire in the United States and estimates  
20 of arson property loss exceed \$2,000,000,000 annu-  
21 ally, or approximately 1 of every 4 dollars lost to  
22 fire;

23           (7) while arson is a heinous crime against hu-  
24 manity and nature, current Federal law provides

1 that the maximum prison sentence for most arson is  
2 only 5 years; and

3 (8) in light of the spectacular television cov-  
4 erage of the 1993 California fires, increased pen-  
5 alties for arson are necessary to protect against  
6 “copycat” miscreants in search of morbid glory.

7 **SEC. 3. INCREASED PENALTIES.**

8 (a) IN GENERAL.—Chapter 5 of title 18, United  
9 States Code, is amended by adding at the end the follow-  
10 ing:

11 **“§ 82. Penalties for arson**

12 “(a) Whoever, with intent to cause damage to or de-  
13 stroy personal or real property, intentionally and mali-  
14 ciously causes, or attempts to cause, a fire, shall, if such  
15 fire damages or destroys personal or real property in whole  
16 or in part owned, possessed, or used by, or leased to, the  
17 United States, or any department or agency thereof, be  
18 fined under this title or imprisoned not more than 20  
19 years, or both, except as provided in subsection (b) of this  
20 section.

21 “(b) If a circumstance exists that is listed below, the  
22 punishment for an offense under this subsection shall be  
23 increased so that the maximum penalties are as follows:

1           “(1) If a dwelling is destroyed as a result of the  
2 offense, a fine under this title or imprisonment for  
3 not more than 25 years, or both.

4           “(2) If the life of any person is placed in jeop-  
5 ardy as a result of the offense, a fine under this title  
6 or imprisonment for not more than 30 years, or  
7 both.

8           “(3) If personal injury results, a fine under this  
9 title and imprisonment for not less than 20 nor  
10 more than 40 years.

11           “(4) If the death of any person results—

12                   “(A) a fine under this title and imprison-  
13 ment for any term of years greater than 25 (or  
14 imprisonment for life); and

15                   “(B) the death penalty as provided in sec-  
16 tion 34 of this title.”.

17           (b) CLERICAL AMENDMENT.—The table of sections  
18 at the beginning of chapter 5 of title 18, United States  
19 Code, is amended by adding at the end the following new  
20 item:

“82. Penalties for arson.”.

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