

108TH CONGRESS  
1ST SESSION

# H. R. 1038

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

FEBRUARY 27, 2003

Mr. TANCREDO (for himself, Mr. MCINNIS, Mr. UDALL of Colorado, Mr. BEAUPREZ, Mrs. MUSGRAVE, and Mr. HEFLEY) 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

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## 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Public Lands Fire  
3 Regulations Enforcement Act of 2003”.

4 **SEC. 2. PENALTIES FOR VIOLATION OF PUBLIC LAND FIRE**  
5 **REGULATIONS RESULTING IN PROPERTY**  
6 **DAMAGE.**

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

17 (b) INCREASED PENALTIES ON NATIONAL FOREST  
18 SYSTEM LANDS.—Notwithstanding the eleventh undesig-  
19 nated paragraph under the heading “SURVEYING THE  
20 PUBLIC LANDS” of the Act of June 4, 1897 (16 U.S.C.  
21 551), a violation of the rules regulating the use of fire  
22 by visitors and other users of National Forest System  
23 lands shall be punished by a fine of not less than \$1,000  
24 or imprisonment for not more than one year, or both, if  
25 the violation results in damage to public or private prop-  
26 erty.

1           (c) RELATION TO OTHER SENTENCE OF FINE AU-  
2 THORITY.—The maximum fine amount specified in sub-  
3 sections (a) and (b) applies in lieu of the fine otherwise  
4 applicable under section 3571 of title 18, United States  
5 Code.

6           (d) USE OF COLLECTED FINES.—Any moneys re-  
7 ceived by the United States as a result of a fine imposed  
8 for a violation of fire rules applicable to lands adminis-  
9 tered by the Bureau of Land Management, National Park  
10 System lands, or National Forest System lands shall be  
11 available to the Secretary of the Interior or the Secretary  
12 of Agriculture, as the case may be, without further appro-  
13 priation and until expended, for the following purposes:

14           (1) To cover the cost to the United States of  
15 any improvement, protection, or rehabilitation work  
16 rendered necessary by the action that resulted in the  
17 fine.

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

22           (3) To increase public awareness of rules, regu-  
23 lations, and other requirements regarding the use of  
24 fire on public lands.

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