

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1805

To amend title 18, United States Code, to provide a criminal penalty for dumping solid waste on certain Federal lands, to increase the fine for illegally cutting, destroying, or transporting timber on Federal lands, and to establish programs to decrease the illegal dumping of solid waste on certain Federal lands.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1993

Mr. KILDEE introduced the following bill; which was referred jointly to the Committees on the Judiciary and Natural Resources

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## A BILL

To amend title 18, United States Code, to provide a criminal penalty for dumping solid waste on certain Federal lands, to increase the fine for illegally cutting, destroying, or transporting timber on Federal lands, and to establish programs to decrease the illegal dumping of solid waste on certain Federal lands.

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 “Public Lands Protec-  
5 tion Act of 1993”.

1 **SEC. 2. ESTABLISHMENT OF FEDERAL CRIME FOR DUMP-**  
2 **ING SOLID WASTE ON CERTAIN FEDERAL**  
3 **LANDS.**

4 (a) IN GENERAL.—Chapter 91 of title 18, United  
5 States Code, is amended by adding at the end the follow-  
6 ing new section:

7 **“§ 1865. Dumping solid waste on certain Federal**  
8 **lands**

9 “(a) IN GENERAL.—Whoever willfully dumps solid  
10 waste on any Federal land shall be fined in an amount  
11 up to \$5,000 or imprisoned not more than 6 months, or  
12 both.

13 “(b) DEFINITIONS.—For purposes of this section, the  
14 following definitions apply:

15 “(1) FEDERAL LAND.—The term ‘Federal land’  
16 means any area of land or water owned by the Unit-  
17 ed States and administered by—

18 “(A) the Bureau of Land Management;

19 “(B) the United States Fish and Wildlife  
20 Service;

21 “(C) the National Park Service;

22 “(D) the Bureau of Reclamation; or

23 “(E) the Forest Service.

24 “(2) SOLID WASTE.—The term ‘solid waste’  
25 means—

1           “(A) waste generated by the normal activi-  
2           ties of households, including food wastes, rub-  
3           bish, ashes, and bulky wastes; and

4           “(B) waste generated from agricultural,  
5           commercial, industrial, or municipal operations,  
6           including garbage, refuse, sludges, and other  
7           discarded solid materials.”.

8           (b) CONFORMING AMENDMENT.—The table of sec-  
9           tions at the beginning of chapter 91 is amended by adding  
10          at the end the following new item:

          “1865. Dumping solid waste on certain Federal lands.”.

11       **SEC. 3. INCREASE IN FINE FOR ILLEGALLY CUTTING, DE-**  
12                               **STROYING, OR TRANSPORTING TIMBER ON**  
13                               **FEDERAL LANDS.**

14          Section 1852 of title 18, United States Code, is  
15          amended—

16               (1) by striking “\$1,000” and inserting  
17               “\$5,000”; and

18               (2) by adding at the end the following:

19               “Whoever violates any provision of this section shall,  
20          in addition to any other fine imposed pursuant to this sec-  
21          tion, be fined in an amount equal to the fair market value  
22          of the timber cut, destroyed, or transported.”.

1 **SEC. 4. ESTABLISHMENT OF PROGRAMS TO DECREASE IL-**  
2 **LEGAL DUMPING OF SOLID WASTE ON CER-**  
3 **TAIN FEDERAL LANDS.**

4 (a) DEPARTMENT OF THE INTERIOR PROGRAM.—

5 (1) IN GENERAL.—Not later than 1 year after  
6 the date of the enactment of this Act, the Secretary  
7 of the Interior shall, to the extent practicable, estab-  
8 lish a program for the purpose of decreasing the  
9 dumping of solid waste on Federal lands in violation  
10 of section 1865 of title 18, United States Code.

11 (2) FEDERAL LANDS DEFINED.—For purposes  
12 of this subsection, the term “Federal lands” has the  
13 meaning given such term in section 1865 of title 18,  
14 United States Code, except that such term does not  
15 include any area of land or water administered by  
16 the Forest Service.

17 (b) FOREST SERVICE PROGRAM.—Not later than 1  
18 year after the date of the enactment of this Act, the Sec-  
19 retary of Agriculture shall, to the extent practicable, es-  
20 tablish a program for the purpose of decreasing the dump-  
21 ing of solid waste on Federal lands administered by the  
22 Secretary through the Forest Service in violation of sec-  
23 tion 1865 of title 18, United States Code.

24 (c) CONDUCT OF PROGRAMS.—In carrying out a pro-  
25 gram established under subsection (a) or (b), the Sec-  
26 retary concerned shall cooperate with appropriate State

1 and local agencies to disseminate information to the public  
2 to discourage illegal dumping of solid waste on Federal  
3 lands administered by such Secretary.

4 (d) REPORT.—Not later than 6 months after the date  
5 on which the Secretary concerned establishes a program  
6 under subsection (a) or (b), such Secretary shall submit  
7 to the Congress and the President a report containing a  
8 description of—

9 (1) the program established by the Secretary;  
10 and

11 (2) the extent to which the Secretary believes  
12 the program to be successful.

13 (e) SECRETARY CONCERNED DEFINED.—For pur-  
14 poses of this section, the term “Secretary concerned”  
15 means—

16 (1) the Secretary of the Interior, with respect  
17 to the program established by such Secretary under  
18 subsection (a); and

19 (2) the Secretary of Agriculture, with respect to  
20 the program established by such Secretary under  
21 subsection (b).

22 (f) EFFECTIVE DATE.—This section shall take effect  
23 on October 1, 1993, or the date of the enactment of this  
24 Act, whichever occurs later.

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