

this section and the use by the Department of Defense of other means to improve the performance of security functions on military installations and facilities located within the United States.

Crimes Against
Charitable
Americans Act of
2001.
15 USC 6101
note.

SEC. 1011. CRIMES AGAINST CHARITABLE AMERICANS.

(a) **SHORT TITLE.**—This section may be cited as the “Crimes Against Charitable Americans Act of 2001”.

(b) **TELEMARKETING AND CONSUMER FRAUD ABUSE.**—The Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.) is amended—

15 USC 6102.

(1) in section 3(a)(2), by inserting after “practices” the second place it appears the following: “which shall include fraudulent charitable solicitations, and”;

(2) in section 3(a)(3)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) a requirement that any person engaged in telemarketing for the solicitation of charitable contributions, donations, or gifts of money or any other thing of value, shall promptly and clearly disclose to the person receiving the call that the purpose of the call is to solicit charitable contributions, donations, or gifts, and make such other disclosures as the Commission considers appropriate, including the name and mailing address of the charitable organization on behalf of which the solicitation is made.”; and

15 USC 6016.

(3) in section 7(4), by inserting “, or a charitable contribution, donation, or gift of money or any other thing of value,” after “services”.

(c) **RED CROSS MEMBERS OR AGENTS.**—Section 917 of title 18, United States Code, is amended by striking “one year” and inserting “5 years”.

(d) **TELEMARKETING FRAUD.**—Section 2325(1) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the comma at the end and inserting “; or”;

(3) by inserting after subparagraph (B) the following:

“(C) a charitable contribution, donation, or gift of money or any other thing of value,”; and

(4) in the flush language, by inserting “or charitable contributor, or donor” after “participant”.

Inter-
governmental
relations.

SEC. 1012. LIMITATION ON ISSUANCE OF HAZMAT LICENSES.

(a) **LIMITATION.**—

(1) **IN GENERAL.**—Chapter 51 of title 49, United States Code, is amended by inserting after section 5103 the following new section:

“§ 5103a. Limitation on issuance of hazmat licenses

“(a) **LIMITATION.**—

“(1) **ISSUANCE OF LICENSES.**—A State may not issue to any individual a license to operate a motor vehicle transporting in commerce a hazardous material unless the Secretary of

Transportation has first determined, upon receipt of a notification under subsection (c)(1)(B), that the individual does not pose a security risk warranting denial of the license.

“(2) RENEWALS INCLUDED.—For the purposes of this section, the term ‘issue’, with respect to a license, includes renewal of the license.

“(b) HAZARDOUS MATERIALS DESCRIBED.—The limitation in subsection (a) shall apply with respect to—

“(1) any material defined as a hazardous material by the Secretary of Transportation; and

“(2) any chemical or biological material or agent determined by the Secretary of Health and Human Services or the Attorney General as being a threat to the national security of the United States.

“(c) BACKGROUND RECORDS CHECK.—

“(1) IN GENERAL.—Upon the request of a State regarding issuance of a license described in subsection (a)(1) to an individual, the Attorney General—

“(A) shall carry out a background records check regarding the individual; and

“(B) upon completing the background records check, shall notify the Secretary of Transportation of the completion and results of the background records check.

“(2) SCOPE.—A background records check regarding an individual under this subsection shall consist of the following:

“(A) A check of the relevant criminal history data bases.

“(B) In the case of an alien, a check of the relevant data bases to determine the status of the alien under the immigration laws of the United States.

“(C) As appropriate, a check of the relevant international data bases through Interpol–U.S. National Central Bureau or other appropriate means.

“(d) REPORTING REQUIREMENT.—Each State shall submit to the Secretary of Transportation, at such time and in such manner as the Secretary may prescribe, the name, address, and such other information as the Secretary may require, concerning—

“(1) each alien to whom the State issues a license described in subsection (a); and

“(2) each other individual to whom such a license is issued, as the Secretary may require.

“(e) ALIEN DEFINED.—In this section, the term ‘alien’ has the meaning given the term in section 101(a)(3) of the Immigration and Nationality Act.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5103 the following new item:

“5103a. Limitation on issuance of hazmat licenses.”.

(b) REGULATION OF DRIVER FITNESS.—Section 31305(a)(5) of title 49, United States Code, is amended—

(1) by striking “and” at the end of subparagraph (A);

(2) by inserting “and” at the end of subparagraph (B);

and

(3) by adding at the end the following new subparagraph:

“(C) is licensed by a State to operate the vehicle after having first been determined under section 5103a of this title as not posing a security risk warranting denial of the license.”.

49 USC 5103a
note.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Transportation and the Department of Justice such amounts as may be necessary to carry out section 5103a of title 49, United States Code, as added by subsection (a).

SEC. 1013. EXPRESSING THE SENSE OF THE SENATE CONCERNING THE PROVISION OF FUNDING FOR BIOTERRORISM PREPAREDNESS AND RESPONSE.

(a) FINDINGS.—The Senate finds the following:

(1) Additional steps must be taken to better prepare the United States to respond to potential bioterrorism attacks.

(2) The threat of a bioterrorist attack is still remote, but is increasing for a variety of reasons, including—

(A) public pronouncements by Osama bin Laden that it is his religious duty to acquire weapons of mass destruction, including chemical and biological weapons;

(B) the callous disregard for innocent human life as demonstrated by the terrorists' attacks of September 11, 2001;

(C) the resources and motivation of known terrorists and their sponsors and supporters to use biological warfare;

(D) recent scientific and technological advances in agent delivery technology such as aerosolization that have made weaponization of certain germs much easier; and

(E) the increasing access to the technologies and expertise necessary to construct and deploy chemical and biological weapons of mass destruction.

(3) Coordination of Federal, State, and local terrorism research, preparedness, and response programs must be improved.

(4) States, local areas, and public health officials must have enhanced resources and expertise in order to respond to a potential bioterrorist attack.

(5) National, State, and local communication capacities must be enhanced to combat the spread of chemical and biological illness.

(6) Greater resources must be provided to increase the capacity of hospitals and local health care workers to respond to public health threats.

(7) Health care professionals must be better trained to recognize, diagnose, and treat illnesses arising from biochemical attacks.

(8) Additional supplies may be essential to increase the readiness of the United States to respond to a bio-attack.

(9) Improvements must be made in assuring the safety of the food supply.

(10) New vaccines and treatments are needed to assure that we have an adequate response to a biochemical attack.

(11) Government research, preparedness, and response programs need to utilize private sector expertise and resources.

(12) Now is the time to strengthen our public health system and ensure that the United States is adequately prepared to respond to potential bioterrorist attacks, natural infectious disease outbreaks, and other challenges and potential threats to the public health.