To prevent plant enterprise terrorism.

---

A BILL

To prevent plant enterprise terrorism.

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 “Agroterrorism Prevention Act of 2001”.

5 SEC. 2. PLANT ENTERPRISE TERRORISM.

6 (a) In General.—Section 43 of title 18, United
7 States Code, is amended—

9 (1) so that the heading for such section reads—
“§ 43. Animal and plant enterprise terrorism”;

(2) by striking “animal enterprise” each place it appears and inserting “animal or plant enterprise”;

(3) in subsection (a)(2)—

(A) by inserting “plants,” after “including”;

(B) by inserting a comma after “animals”;

(4) in subsection (d)(1), by striking “animal enterprise” and inserting “animal or plant enterprise”;

(5) in subsection (d)(1)(A), by inserting “or plants” after “animals”;

(6) in subsection (d)(1)(B)—

(A) by inserting “botanical exhibit,” after “rodeo”; and

(B) by inserting “or plant” after “animal”; and

(7) in subsection (d)—

(A) by striking “and” at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting “; and”; and

(C) by adding at the end the following:

“(5) the term ‘plant’ means any plant (including any plant part) used for, or that is capable of, propagation, including a tree, a tissue culture, pol-
len, a shrub, a vine, a cutting, a graft, a scion, a bud, a bulb, a root, a seed, or any plant genetic material contained in bacteria, plasmids, viruses, viroids, or any vector of biological origin that has been modified for, or is capable of carrying genes into plant cells using transgenic processes.”.

(b) CLERICAL AMENDMENT.—The item in the table of sections at the beginning of chapter 3 of title 18, United States Code, that relates to section 43 is amended to read as follows:

“43. Animal and plant enterprise terrorism.”.

SEC 3. ENHANCEMENT OF PENALTIES FOR ANIMAL AND PLANT ENTERPRISE TERRORISM.

Section 43 of title 18, United States Code, is amended—

(1) in subsection (a), by striking “one year” and inserting “five years”; and

(2) in subsection (b)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1) the following new paragraph (2):

“(2) EXPLOSIVES OR ARSON.—Whoever in the course of a violation of subsection (a) maliciously damages or destroys, or attempts to damage or destroy, by means of fire or an explosive, any building,
vehicle, or other real or personal property used by
the animal or plant enterprise shall be imprisoned
for not less than 5 years and not more than 20
years, fined under this title, or both.”; and

(C) in paragraph (3), as so redesignated,
by striking “under this title and” and all that
follows through the period and inserting “under
this title, imprisoned for life or for any term of
years, or sentenced to death.”.

SEC. 4. RICO.

Section 1961(1) of title 18, United States Code, is
amended by striking “Section 201” and inserting “Section
43 (relating to animal and plant enterprise terrorism, sec-
tion 201”.

SEC. 5. NATIONAL AGROTERRORISM INCIDENT CLEARING-

HOUSE.

(a) IN GENERAL.—The Director shall establish and
maintain a national clearinghouse for information on inci-
dents of crime and terrorism—

(1) committed against or directed at any animal
or plant enterprise;

(2) committed against or directed at any com-
cmercial activity because of the perceived impact or
effect of such commercial activity on the environ-
ment; or
(3) committed against or directed at any person because of such person’s perceived connection with or support of any enterprise or activity described in paragraph (1) or (2).

(b) CLEARINGHOUSE.—The clearinghouse established under subsection (a) shall—

(1) accept, collect, and maintain information on incidents described in subsection (a) that is submitted to the clearinghouse by Federal, State, and local law enforcement agencies, by law enforcement agencies of foreign countries, and by victims of such incidents;

(2) collate and index such information for purposes of cross-referencing; and

(3) upon request from a Federal, State, or local law enforcement agency, or from a law enforcement agency of a foreign country, provide such information to assist in the investigation of an incident described in subsection (a).

(c) SCOPE OF INFORMATION.—The information maintained by the clearinghouse for each incident shall, to the extent practicable, include—

(1) the date, time, and place of the incident;

(2) details of the incident;
(3) any available information on suspects or perpetrators of the incident; and
(4) any other relevant information.

(d) DESIGN OF CLEARINGHOUSE.—The clearinghouse shall be designed for maximum ease of use by participating law enforcement agencies.

(e) PUBLICITY.—The Director shall publicize the existence of the clearinghouse to law enforcement agencies by appropriate means.

(f) RESOURCES.—In establishing and maintaining the clearinghouse, the Director may—

(1) through the Attorney General, utilize the resources of any other department or agency of the Federal Government; and

(2) accept assistance and information from private organizations or individuals.

(g) COORDINATION.—The Director shall carry out the Director’s responsibilities under this section in cooperation with the Director of the Bureau of Alcohol, Tobacco, and Firearms.

(h) DEFINITIONS.—In this section—

(1) the term “animal or plant enterprise” has the same meaning as in section 43 of title 18, United States Code; and
(2) the term “Director” means the Director of the Federal Bureau of Investigation.

(i) Authorization of Appropriations.—There are authorized to be appropriated for each of fiscal years 2002 through 2007 such sums as are necessary to carry out this section.

SEC. 6. ANIMAL AND PLANT RESEARCH SECURITY PROGRAMS.

(a) In General.—

(1) Grants Authorized.—The Director shall—

(A) award grants on a competitive basis to colleges and universities for technical assistance, threat and risk assessments, and other activities related to improving security at individual research universities; and

(B) develop a comprehensive security report for universities, colleges and nonprofit organizations which examines the threat posed by animal and plant enterprise terrorism on research activities, and includes strategies for reducing this threat, including education, facility hardening, and coordination with law enforcement.
(2) APPLICATION.—To be eligible to receive a
grant under this section a college or university shall
submit to the Director an application in such form
and containing such information as the Director
may require, including information relating to the
security needs of the institution.

(3) PRIORITY.—In awarding grants under this
section, the Director shall give priority to colleges
and universities that demonstrate the highest secu-

(b) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated to carry out this section
$5,000,000 for each of fiscal years 2002, 2003.

(c) DEFINITION.—In this section, the term “Direc-
tor” means the Director of the National Science Founda-
tion.

○