

108TH CONGRESS
1ST SESSION

S. 724

To amend title 18, United States Code, to exempt certain rocket propellants from prohibitions under that title on explosive materials.

IN THE SENATE OF THE UNITED STATES

MARCH 27, 2003

Mr. ENZI (for himself, Mr. BENNETT, Mr. INHOFE, Mr. COLEMAN, Mr. CRAPO, Mr. BURNS, Mr. ALLARD, and Mr. SANTORUM) introduced the following bill, which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to exempt certain rocket propellants from prohibitions under that title on explosive materials.

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. EXEMPTION OF CERTAIN ROCKET PROPEL-**
4 **LANTS FROM CRIMINAL PROHIBITIONS ON**
5 **EXPLOSIVE MATERIALS.**

6 (a) NON-DETONABLE ROCKET PROPELLANT DE-
7 FINED.—Section 841 of title 18, United States Code, is
8 amended by adding at the end the following:

1 “(t) ‘Non-detonable rocket propellant’ means
2 any material, chemical, or chemical mixture con-
3 sisting of fuel and oxidizer that provides thrust to a
4 rocket, or generates hot, high pressure gas for doing
5 work in the actuation of various power or mechan-
6 ical devices, and is classified as a non-explosive by
7 the Department of Transportation or classified by
8 the Department of Transportation as a Class 1.3
9 Explosive or lower.”.

10 (b) EXEMPTION.—Section 845(a) of that title is
11 amended—

12 (1) in paragraph (5), by striking “and” at the
13 end;

14 (2) in paragraph (6), by striking the period at
15 the end and inserting “; and”; and

16 (3) by adding at the end the following new
17 paragraph:

18 “(7) commercially manufactured black powder
19 in quantities not to exceed two pounds, safety and
20 pyrotechnic fuses, quick and slow matches, electric
21 matches, igniters, or non-detonable rocket propellant
22 intended to be used in rockets that do not carry
23 any—

24 “(A) explosive, incendiary, or poison gas;

25 “(B) bomb;

1 “(C) grenade;

2 “(D) explosive or incendiary charge of
3 more than three-quarter ounce;

4 “(E) mine; or

5 “(F) device similar to any device referred
6 to in subparagraphs (A) through (E).”.

7 (c) EFFECTIVE DATE.—(1) Subject to paragraph (2),
8 the amendments made by this section shall take effect on
9 the date of the enactment of this Act.

10 (2) If the date of the enactment of this section is less
11 than 180 days after the date of the enactment of the
12 Homeland Security Act of 2002 (Public Law 107–296),
13 the amendments made by this section shall take effect im-
14 mediately after the entry into effect of the amendments
15 made by section 1122 of that Act (116 Stat. 2280) pursu-
16 ant to subsection (i) of such section 1122 (116 Stat.
17 2283).

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