

Appendix D

Language of the Antiterrorism and Effective Death Penalty Act of 1996

TITLE VII-CRIMINAL LAW MODIFICATIONS TO COUNTER TERRORISM

SEC. 732. MARKING, RENDERING INERT, AND LICENSING OF EXPLOSIVE MATERIALS .

(a) STUDY.-

(1) IN GENERAL.-Not later than 12 months after the date of enactment of this Act, the Secretary of the Treasury (referred to in this section as the "Secretary") shall conduct a study of-

- (A) the tagging of explosive materials for purposes of detection and identification;
- (B) the feasibility and practicability of rendering common chemicals used to manufacture explosive materials inert;
- (C) the feasibility and practicability of imposing controls on certain precursor chemicals used to manufacture explosive materials; and
- (D) State licensing requirements for the purchase and use of commercial high explosives, including-

- (i) detonators;
- (ii) detonating cords;
- (iii) dynamite;
- (iv) water gel;
- (v) emulsion;
- (vi) blasting agents; and
- (vii) boosters.

(2) EXCLUSION.-No study conducted under this subsection or regulation proposed under subsection (a) shall include black or smokeless powder among the explosive materials considered.

(3) New prevention technologies: In addition to the study of taggants as provided herein, the Secretary, in consultation with the Attorney General, shall concurrently report to the Congress on the possible use, and exploitation of technologies such as vapor detection devices, computed tomography, nuclear quadrupole resonance, thermal neutron analysis, pulsed fast-neutron analysis, and other technologies upon which recommendations to the Congress may be made for further study, funding, and use of the same in preventing and solving acts of terrorism involving explosive devices.

(b) CONSULTATION.-

(1) IN GENERAL.-In conducting the study under subsection (a), the Secretary shall consult with-

- (A) Federal, State, and local officials with expertise in the area of chemicals used to manufacture explosive materials; and
- (B) such other individuals as the Secretary determines are necessary.

(2) FERTILIZER RESEARCH CENTERS.-In conducting any portion of the study under subsection (a) relating to the regulation and use of fertilizer as a pre-explosive material, the Secretary of the Treasury shall consult with and receive input from non-profit fertilizer research centers.

(c) REPORT.-Not later than 30 days after the completion of the study conducted under subsection (a), the Secretary shall submit a report to the Congress, which shall be made public, that contains-

- (1) the results of the study;
- (2) any recommendations for legislation; and
- (3) any opinions and findings of the fertilizer research centers.

(d) HEARINGS.-Congress shall have not less than 90 days after the submission of the report under subsection (c) to-

- (1) review the results of the study; and

NOTE: Title VII was amended on September 28, 1996 (Department of Defense Appropriations Act, 1997). Changes are shown as bold text.