

108TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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IN THE SENATE OF THE UNITED STATES

Mr. ENZI introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**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:

9 “(t) ‘Non-detonable rocket propellant’ means  
10 any material, chemical, or chemical mixture con-

1       sisting of fuel and oxidizer that provides thrust to a  
2       rocket, or generates hot, high pressure gas for doing  
3       work in the actuation of various power or mechan-  
4       ical devices, and is classified as a non-explosive by  
5       the Department of Transportation or classified by  
6       the Department of Transportation as a Class 1.3  
7       Explosive or lower.”.

8       (b) EXEMPTION.—Section 845(a) of that title is  
9       amended—

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

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

14           (3) by adding at the end the following new  
15       paragraph:

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

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

23                   “(B) bomb;

24                   “(C) grenade;

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

3           “(E) mine; or

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

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

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