

108TH CONGRESS
2D SESSION

H. R. 5140

To prohibit the importation, manufacture, distribution, or storage of detonable nitrate fertilizers without a license, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2004

Mr. HINCHEY introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To prohibit the importation, manufacture, distribution, or storage of detonable nitrate fertilizers without a license, and for other purposes.

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 “Ammonium Nitrate
5 Security Act”.

6 **SEC. 2. IMPORTATION, MANUFACTURE, DISTRIBUTION, AND**
7 **STORAGE OF DETONABLE NITRATE FER-**
8 **TILIZERS.**

9 Chapter 40 of title 18 of the United States Code is
10 amended—

1 (1) in the first sentence of section 841(d) by
2 striking “and igniters” and inserting “igniters, and
3 detonable nitrate fertilizers”;

4 (2) in section 841 by adding at the end the fol-
5 lowing new subsection:

6 “(t) ‘Detonable nitrate fertilizers’ means
7 detonable mixtures of ammonium nitrate fertilizers,
8 sodium nitrate fertilizers, and potassium nitrate fer-
9 tilizers.”;

10 (3) in section 842(j) by adding at the end the
11 following: “The Attorney General shall promulgate
12 regulations specifically related to the storage of
13 detonable nitrate fertilizers.”;

14 (4) in the second sentence of section 843(a) by
15 striking the period and inserting “, except that if the
16 only explosive materials for which the applicant is
17 seeking a license or permit are detonable nitrate fer-
18 tilizers, the applicant shall not be required to pay
19 such fee.”;

20 (5) in section 843(b)(6) by striking the semi-
21 colon and inserting “, unless the only explosive ma-
22 terials that the employee is authorized to possess are
23 detonable nitrate fertilizers;”;

24 (6) in the first sentence of section 843(h)(1) by
25 striking the period and inserting “, unless the only

1 explosive materials that the responsible person or
2 employee will be authorized by the employer to pos-
3 sess are detonable nitrate fertilizers.”; and

4 (7) in section 844(j) by inserting “detonable ni-
5 trate fertilizers,” after “title,”.

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