

I would ask whether the chairman agrees with my assessment of the jurisdictional situation and whether he would be willing to stipulate as much for the record?

Mr. HATCH. I understand and appreciate that the chairman of the Senate Committee on Commerce, Science, and Transportation has always provided strong leadership on air passenger safety and security issues. Let me make it clear that my friend from South Dakota is absolutely correct. Aviation security is within the jurisdiction of the Senate Committee on Commerce, Science, and Transportation. It is not my intention that this amendment will affect in any way that committee's jurisdiction over airline security matters in the future.

Mr. PRESSLER. I thank my friend from Utah for clarifying this point. Having put my jurisdictional concern to rest, I join in supporting the amendment and urge my colleagues to support it. American citizens traveling on foreign carriers should have the same level of protection they have when traveling on U.S. passenger carriers. Moreover, U.S. passenger carriers should not be put at a competitive disadvantage vis-a-vis foreign competitors whose relaxed security standards are less expensive.

Mr. HATCH. I thank the chairman. I very much appreciate his support for this amendment and thank him for agreeing to proceed to its consideration.

Mrs. FEINSTEIN. Mr. President, yesterday the Senate voted 90 to 0 to approve an amendment I authored to the counterterrorism legislation. Because of the importance of this amendment, I want to clarify its intent and language.

This amendment will make it easier for law enforcement officials to trace the origins of bombs used for violent or criminal purposes. The legislation specifically requires the Secretary of the Treasury to conduct a study within 12 months on the use of taggants in all explosive materials, including black or smokeless powder. Once that study is completed, the Treasury Department must enforce the use of taggants in explosive materials within 6 months, depending on the study's findings and other factors. In addition, this amendment instructs the Treasury Department to also study ways of making common chemicals, such as fertilizer, inert and unusable as an explosive.

This amendment exempts putting taggants in black or smokeless gun powder when that powder is used for small arms ammunition, or bullets—an exemption that already exists under current law. In addition, black or smokeless powder used in antique firearms for recreational purposes is also exempted from this amendment. The amendment does allow for the use of taggants in black or smokeless powder produced for sale in large quantities or for other uses.

I want to clarify that this amendment extends the existing exemption

under current law. Under sections 845 (a)(4) and (5) of Title 18, United States Code, small arms ammunition and antique weapons used for recreational purposes are exempt from all explosive regulations, except for a few specific circumstances. This amendment simply reiterates current law.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, it is my understanding, after visiting with the managers, that the only amendments left are habeas corpus amendments.

I want to thank the managers on both sides of the aisle for their hard work and cooperation for the last 6 hours, and also the Democratic leader, Senator DASCHLE, for his cooperation.

So we are down now to the habeas corpus amendments. We disposed of virtually everything, 80, 90 amendments. We are down to about six, five on the Democratic side and one on the Republican side.

I think we have agreed that we come in at 9:30, have 15 minutes of morning business, and at 9:45 we are on the bill. And Senator BIDEN will bring up the habeas corpus Federal prisoners, No. 1217, with 30 minutes of debate equally divided.

Then there would be a vote at 10:15 which would accommodate two Senators who are going to the Base Closure Commission, and one Senator who has someone in the hospital. Then we would try to reach time agreements on the remaining amendments, and if possible stack all of those votes so we can complete action probably sometime like 1 o'clock. We would have votes on those, plus final passage, unless there is a motion to reconsider a vote, or something like that.

I think that is satisfactory. I wish to check with Senators.

So we will proceed on that basis.

#### ORDERS FOR WEDNESDAY, JUNE 7, 1995

Mr. DOLE. I would ask unanimous consent that when the Senate convenes tomorrow, it convene at the hour of 9:30 a.m., with 15 minutes of morning business, 10 minutes to the Senator from Louisiana, Senator BREAUX; that at 9:45 we return to the consideration of S. 735, and that the amendment No. 1217, habeas corpus Federal prisons, be in order, 30 minutes equally, controlled by the managers on each side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. And then we will try to work out the order and times on the following amendments. I think we will pretty much stick to the times we have pointed out here.

I would also ask, since we have completed action on every amendment that has been affected by cloture, that the cloture motion filed yesterday be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. As I indicated earlier, there is no reason for a cloture vote because we have taken care of all the amendments that might have been affected by invoking cloture with the exception of five so-called gun or gun-related amendments which have been or will be withdrawn.

Mr. BIDEN. Mr. President, if the leader will yield, each of the authors of the gun amendments has agreed to withdraw their amendments, and I am authorized to do that and I would do that at this moment if that is appropriate.

There are five amendments: Bradley, Lautenberg, Kohl, Levin, and Kerry of Massachusetts. Each had amendments. And there was a Boxer amendment which we never intended on bringing up on guns, and a second Lautenberg amendment. We were not going to do those anyway.

To put it another way, Mr. President, we commit there will be no gun amendments offered from the Democratic side. The only amendments that would be in order are the habeas corpus amendments that have been referenced by the leader already.

Mr. DOLE. Right. That would be Biden No. 1224, Biden No. 1216, Biden No. 1217, Levin No. 1245, Gaham of Florida No. 1242, Kyl No. 1211, and then there is the managers' amendment.

Mr. BIDEN. Yes. And that would not be a gun amendment.

Mr. President, that is correct. They would be the only amendments that would be in order. So there is no intention to raise any gun issue.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

#### AMENDMENT NO. 1228 WITHDRAWN

Mr. HATCH. It is my understanding that the distinguished Senator from Michigan has been very cooperative and has permitted us to withdraw his amendment. I believe both the distinguished Senator from Delaware and I are very grateful that he has been so considerate of all of us.

The PRESIDING OFFICER. Without objection, amendment 1228 is withdrawn.

Mr. DOLE. I assume under the previous agreement that only second-degree amendments would be in order after a failed motion to table.

Mr. BIDEN. That is my understanding.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Again, let me thank the managers and the Democratic leader, Senator BIDEN and Senator HATCH, Senator DASCHLE, and also thank the President and Pat Griffin at the White House, who has been helpful throughout the day.