

of Vieques, Puerto Rico; to the Committee on Energy and Natural Resources.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HELMS:

S. 1352. A bill to impose conditions on assistance authorized for North Korea, to impose restrictions on nuclear cooperation and other transactions with North Korea, and for other purposes; to the Committee on Foreign Relations.

By Mr. TORRICELLI:

S. 1353. A bill to combat criminal misuse of explosives; to the Committee on the Judiciary.

By Mr. KOHL (for himself and Mr. FEINGOLD):

S. 1354. A bill to provide for the eventual termination of milk marketing orders; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DODD (for himself, Mr. KENNEDY, Mr. LEAHY, and Mrs. MURRAY):

S. 1355. A bill to establish demonstration projects to provide family income to respond to significant transitions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MOYNIHAN (for himself and Mr. SCHUMER):

S. 1356. A bill to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to clarify the limitation on the dumping of dredged material in Long Island Sound; to the Committee on Environment and Public Works.

By Mr. JEFFORDS:

S. 1357. A bill to amend the Internal Revenue Code of 1986 to enhance the portability of retirement benefits, and for other purposes; to the Committee on Finance.

By Mr. JEFFORDS (for himself, Mr. REED, Mr. ENZI, and Mr. LEAHY):

S. 1358. A bill to amend title XVIII of the Social Security Act to provide more equitable payments to home health agencies under the medicare program; to the Committee on Finance.

By Mr. HOLLINGS:

S. 1359. A bill to amend chapter 51 of title 49, United States Code, to extend the coverage of the rules governing the transportation of hazardous materials, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEAHY:

S. 1360. A bill to preserve the effectiveness of Secret Service protection by establishing a protective function privilege, and for other purposes; to the Committee on the Judiciary.

By Mr. STEVENS (for himself, Mr. INOUE, Mr. LOTT, Mrs. FEINSTEIN, Mr. AKAKA, and Mr. GRAHAM):

S. 1361. A bill to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation, relief, and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. TORRICELLI:

S. 1353. A bill to combat criminal misuse of explosives; to the Committee on the Judiciary.

DAANGEROUS EXPLOSIVES BACKGROUND CHECKS REQUIREMENT ACT

Mr. TORRICELLI. Mr. President, every year, thousands of people are killed or maimed because of the use or misuse of illegal explosive devices, and millions of dollars in property is lost. Between 1991 and 1995, there were more than 14,000 actual and attempted criminal bombings. Three hundred and twenty-six people were killed in those incidents and another 2,970 injured. More than \$6 million in property damage resulted.

One bombing in particular, is carved into the national memory. On the morning of April 19, 1995, in one horrible moment, an explosion devastated the Alfred P. Murrah Federal Building in Oklahoma City, OK, and took the lives of 168 Americans. This tragedy, together with the bombing of the World Trade Center in New York, took the lives of many innocent men, women, and children, left others permanently scarred, and caused great suffering for the families of the victims—as well as all of America. These crimes were intended to tear the very fabric of our society; instead, their tragic consequences served to strengthen our resolve to stand firm against the insanity of terrorism and the criminal use of explosives.

In the wake of the Oklahoma City bombing, I was stunned—as were many—to learn how few restrictions on the use and sale of explosives really exist. I soon after introduced legislation to take a first step towards protecting the American people from those who would use explosives to do them harm. That bill, the Explosives Protection Act, would bring explosives law into line with gun laws. Specifically, it would take the list of categories of people who cannot obtain firearms and would add any of those categories not currently covered under the explosives law.

Today, I am taking the next step by introducing the Dangerous Explosives Background Check Requirement Act requiring background checks before the sale of explosives material identical to those already mandated for firearms sales. Current law prohibits felons and others from possessing explosives, but does little to actually stop these materials from getting into the wrong hands. This failure defies logic when we already have a system in place to facilitate background checks and assure that persons who are legally prohibited from purchasing explosives are not able to do so.

In November, 1998, the National Instant Criminal Background Check System (NICS) became operational. NICS is a new national database accessible to licensed firearms dealers that allows them to perform over-the-counter background checks on potential firearms purchasers. NICS, which checks national criminal history databases as well as information on other prohibited categories, such as illegal aliens and persons under domestic violence re-

straining orders, has already processed more than 3.7 million background checks and has stopped more than 39,000 felons and other prohibited persons from getting guns. In so doing, it has undoubtedly saved lives and prevented crimes from occurring.

Once again, it is time to bring the explosives law into line with gun laws by taking advantage of the success of the NICS system and expanding its use to include explosives purchases. In so doing, we will make it harder for many of the most dangerous or least accountable members of society to obtain materials which can result in a great loss of life. My hope is that this bill will, in some small way, prevent future bombings—whether by terrorists of symbolic targets, malcontents of random ones, or even spouses involved in marital disputes.

I hope we can quickly move to get this passed and protect Americans from future acts of explosive destruction. I ask unanimous consent that a copy of the legislation appear in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Dangerous Explosives Background Checks Requirement Act".

SEC. 2. PERMITS AND BACKGROUND CHECKS FOR PURCHASES OF EXPLOSIVES.

(a) PERMITS FOR PURCHASE OF EXPLOSIVES IN GENERAL.—

(1) IN GENERAL.—Section 842 of title 18, United States Code, is amended—

(A) in subsection (a)(3), by striking subparagraphs (A) and (B) and inserting the following:

“(A) to transport, ship, cause to be transported, or receive any explosive materials; or
“(B) to distribute explosive materials to any person other than a licensee or permittee.”; and

(B) in subsection (b)—

(i) by adding “or” at the end of paragraph (1);

(ii) by striking “; or” at the end of paragraph (2) and inserting a period; and
(iii) by striking paragraph (3).

(2) REGULATIONS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury shall promulgate final regulations with respect to the amendments made by paragraph (1).

(B) NOTICE TO STATES.—On the promulgation of final regulations under subparagraph (A), the Secretary of the Treasury shall notify the States of the regulations in order that the States may consider legislation to amend relevant State laws relating to explosives.

(b) BACKGROUND CHECKS.—Section 842 of title 18, United States Code, is amended by adding at the end the following:

“(p) BACKGROUND CHECKS.—

“(1) DEFINITIONS.—In this subsection:

“(A) CHIEF LAW ENFORCEMENT OFFICER.—The term ‘chief law enforcement officer’ means the chief of police, the sheriff, or an equivalent officer or the designee of such an individual.

“(B) SYSTEM.—The term ‘system’ means the national instant criminal background