

powder in quantities not exceeding fifty pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers, intended to be used solely for sporting, recreational, or cultural purposes in antique firearms or in antique devices for such exemption of black powder in quantities not exceeding five pounds.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-132 effective 1 year after Apr. 24, 1996, see section 607 of Pub. L. 104-132, set out as a note under section 841 of this title.

§ 846. Additional powers of the Attorney General

(a) The Attorney General is authorized to inspect the site of any accident, or fire, in which there is reason to believe that explosive materials were involved, in order that if any such incident has been brought about by accidental means, precautions may be taken to prevent similar accidents from occurring. In order to carry out the purpose of this subsection, the Attorney General is authorized to enter into or upon any property where explosive materials have been used, are suspected of having been used, or have been found in an otherwise unauthorized location. Nothing in this chapter shall be construed as modifying or otherwise affecting in any way the investigative authority of any other Federal agency. In addition to any other investigatory authority they have with respect to violations of provisions of this chapter, the Federal Bureau of Investigation, together with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, shall have authority to conduct investigations with respect to violations of subsection (d), (e), (f), (g), (h), or (i) of section 844 of this title.

(b) The Attorney General is authorized to establish a national repository of information on incidents involving arson and the suspected criminal misuse of explosives. All Federal agencies having information concerning such incidents shall report the information to the Attorney General pursuant to such regulations as deemed necessary to carry out the provisions of this subsection. The repository shall also contain information on incidents voluntarily reported to the Attorney General by State and local authorities.

(Added Pub. L. 91-452, title XI, §1102(a), Oct. 15, 1970, 84 Stat. 959; amended Pub. L. 104-208, div. A, title I, §101(f) [title VI, §654(a)], Sept. 30, 1996, 110 Stat. 3009-314, 3009-369; Pub. L. 107-296, title XI, §1112(e)(2), (3), Nov. 25, 2002, 116 Stat. 2276.)

AMENDMENTS

2002—Pub. L. 107-296, §1112(e)(3), substituted “Attorney General” for “Secretary” in section catchline.

Subsec. (a). Pub. L. 107-296, §1112(e)(3), substituted “Attorney General” for “Secretary” in two places.

Pub. L. 107-296, §1112(e)(2), substituted “the Federal Bureau of Investigation, together with the Bureau of Alcohol, Tobacco, Firearms, and Explosives” for “the Attorney General and the Federal Bureau of Investigation, together with the Secretary”.

Subsec. (b). Pub. L. 107-296, §1112(e)(3), substituted “Attorney General” for “Secretary” wherever appearing.

1996—Pub. L. 104-208 designated existing provisions as subsec. (a) and added subsec. (b).

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

AUTHORIZATION OF APPROPRIATIONS

Pub. L. 104-208, div. A, title I, §101(f) [title VI, §654(b)], Sept. 30, 1996, 110 Stat. 3009-314, 3009-369, provided that: “There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this subsection [probably means “this section” which amended this section].”

CERTIFICATION OF EXPLOSIVES DETECTION CANINES

Pub. L. 106-554, §1(a)(3) [title VI, §626], Dec. 21, 2000, 114 Stat. 2763, 2763A-162, provided that: “Hereafter, the Secretary of the Treasury is authorized to establish scientific certification standards for explosives detection canines, and shall provide, on a reimbursable basis, for the certification of explosives detection canines employed by Federal agencies, or other agencies providing explosives detection services at airports in the United States.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 106-58, title VI, §630, Sept. 29, 1999, 113 Stat. 473.

Pub. L. 105-277, div. A, §101(h) [title VI, §640], Oct. 21, 1998, 112 Stat. 2681-480, 2681-526.

Pub. L. 105-61, title VI, §627, Oct. 10, 1997, 111 Stat. 1315.

Pub. L. 104-208, div. A, title I, §101(f) [title VI, §653(a)], Sept. 30, 1996, 110 Stat. 3009-314, 3009-369.

§ 847. Rules and regulations

The administration of this chapter shall be vested in the Attorney General. The Attorney General may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Attorney General shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

(Added Pub. L. 91-452, title XI, §1102(a), Oct. 15, 1970, 84 Stat. 959; amended Pub. L. 107-296, title XI, §1112(e)(3), Nov. 25, 2002, 116 Stat. 2276.)

AMENDMENTS

2002—Pub. L. 107-296 substituted “Attorney General” for “Secretary” wherever appearing.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

§ 848. Effect on State law

No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State so that the two cannot be reconciled or consistently stand together.

(Added Pub. L. 91-452, title XI, §1102(a), Oct. 15, 1970, 84 Stat. 959.)