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HANDGUN CONTROL

**ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.**

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May 8, 1984

LDI

Mr. Richard Darman
Deputy Chief of Staff
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. Darman:

Because of your interest in the issue of armor-piercing,
"cop-killer" bullets, as well as the safety of our nation's
police, I enclose a letter to President Reagan concerning
the Moynihan-Biaggi Law Enforcement Officers Protection
Bill (S. 555 and H.R. 953).

Also enclosed is information on the bill, including a recent letter endorsing it by the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriff's Association, and the Police Executive Research Forum.

I hope that this information is helpful to you in your review of this vital police protection legislation.

Sincerely,

N.T. "Pete" Shields
Chairman

Encl.

2100 to 9419

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

May 8, 1984

President Ronald Reagan
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear President Reagan:

By your proclamation, the week of May 13 - 19 is National Police Week. During this time, Americans will remember the men and women who serve in law enforcement and pay special tribute to those police officers who have given their lives in the line of duty.

The most fitting recognition you and the Congress could give those who devote their lives to the public safety would be to enact the Law Enforcement Officers Protection Bill (S. 555 and H.R. 953). This legislation was introduced at the urging of police organizations by Congressman Mario Biaggi (D-NY), himself a 23 year veteran of the New York City Police Department wounded ten times in the line of duty. Senator Daniel Patrick Moynihan (D-NY) introduced a companion bill in the Senate. The measure would prohibit the manufacture and sale of "cop-killer" handgun bullets, which, as you know, can easily penetrate the bulletproof vests worn by over half of our nation's police. The Moynihan-Biaggi bill would also require a mandatory prison sentence for anyone using cop-killer bullets in the commission of a crime.

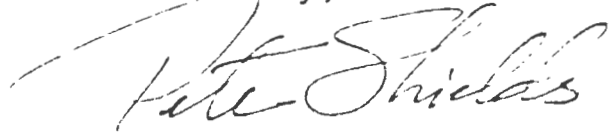
Over 200 Senators and Congressmen cosponsor the bill, with support crossing all geographic and partisan lines. Editorials from over 150 newspapers call for the bill's passage. Dozens of police groups endorse the measure, and recently the International Association of Chiefs of Police, the Police Executive Research Forum, the National Sheriff's Association, and the National Association of Black Law Enforcement Executives reaffirmed their support in the attached letter.

The only organization blocking passage of this police protection bill is the National Rifle Association. We believed this was one issue upon which the gun lobby and HCI could agree, but instead the NRA has launched an aggressive campaign against efforts to stop cop-killer bullets.

Your strong leadership in support of the Moynihan-Biaggi bill could break the impasse the NRA has created on Capitol Hill. I understand the Administration has been asked to testify when the House Subcommittee on Crime, chaired by Congressman Bill Hughes, holds hearings on cop-killer bullets on May 17. National Police Week is the perfect time for you to call for swift passage of legislation to outlaw cop-killer bullets.

I hope that you will take this opportunity to show your support for our nation's police.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pete Shields". The signature is written in dark ink and is positioned above the typed name.

N.T. "Pete" Shields
Chairman

Encl. (4)

cc: William French Smith
Donald Regan
Larry Speakes
Richard Darman

PROTECT OUR POLICE



EDITORIALS

In Support of the Law Enforcement Officers Protection Act

Reagan Presidential Library

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April 16, 1984

The Honorable James Sensenbrenner
House Subcommittee on Crime
207 CHOB
Washington, D.C. 20515

Dear Congressman Sensenbrenner:

On behalf of our respective members, we, the undersigned, would like to express our support of S.555/H.R.953, the Law Enforcement Officers Protection Act. This legislation is needed to eliminate the threat posed by the availability of ammunition capable of penetrating the soft body armor worn by law enforcement officers and other public officials.

Lightweight body armor that is comfortable enough for continuous use during a tour of duty became widely available in 1975. Since that time, the lives of some 400 law enforcement officers have been saved by bullet-resistant vests. Currently, approximately 50 percent of all law enforcement officers in this country wear this protective apparel. If legislation introduced in the House by Congressman I.T. Valentine is passed, many more officers will be provided with vests. The bill, H.R.4346, authorizes federal funds for the purchase of soft body armor for police officers.

The security which soft body armor provides is being violated, however, by the availability of armor-piercing ammunition. Soft body armor cannot protect against every possible threat, but there is no reason for armor-piercing bullets to be on the market. We can find no legitimate use, either in or out of law enforcement for such bullets. Despite the claims of manufacturers that their bullets are for police and military use only, there has not been any attempt to legally prevent their availability to the public. Indeed, these packaging labels are merely a ludicrous ploy to gain market acceptability, since no enforcement of the regulation is possible. Furthermore, these bullets are not used by either law enforcement or the military. Many agencies have expressly prohibited their officers from using them because they are too dangerous.

Federal legislation to ban armor-piercing bullets must be passed. We recognize that there are problems in defining those bullets that will be banned, but we feel that it is time to put all reservations aside in order to provide the maximum protection possible to the dedicated men and women who daily risk their lives for the welfare and

The Honorable James Sensenbrenner
Page Two
April 16, 1984

protection of our citizens. As long as the manufacture and sale of armor-piercing ammunition remains unregulated, the possibility that a law enforcement officer will be killed or seriously wounded remains unacceptably high.

We urge you to do all in your power to ensure that the Law Enforcement Officers Protection Act passes this year. Thank you for giving this matter your attention.

Sincerely,

Norman Darwick
Executive Director
International Association of
Chiefs of Police

William Matthews
Executive Director
National Organization of Black
Law Enforcement Executives

Gary Bittick
Executive Director
National Sheriffs' Association

Gary Hayes
Executive Director
Police Executive Research Forum

COSPONSORS OF THE MOYNIHAN-BIAGGI
LAW ENFORCEMENT OFFICERS PROTECTION ACT
(S. 555 and H.R. 953)

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ARKANSAS

Beryl Anthony (D-4)

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Robert Matsui (D-3)
Vic Fazio (D-4)
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Barbara Boxer (D-6)
George Miller (D-7)
Ronald Dellums (D-8)
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Baltasar Corrada (D-PR)

Walter Fauntroy (D-DC)

Antonio Won Pat (D-Guam)

Fofo Sunia (I-AS)

Ron deLugo (D-VI)

Senate: 18

House: 184

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 98th CONGRESS, SECOND SESSION

Vol. 130

WASHINGTON, THURSDAY, APRIL 12, 1984

No. 48—Part II

Senate

ARMOR PIERCING BULLET BILL—S. 555

● Mr. BIDEN. Mr. President, earlier this month the Subcommittee on Criminal Law, on which I serve as ranking minority member, held hearings on the law enforcement officers protection bill (S. 555). This legislation, which I am proud to cosponsor, was introduced by Senator DANIEL PATRICK MOYNIHAN, and a companion bill (H.R. 953) was introduced in the House by Representative MARIO BIAGGI. The bill would outlaw the manufacture and sale of armor-piercing, "cop-killer" handgun bullets, which are capable of penetrating the bulletproof vests worn by half of our Nation's 528,000 law enforcement officers. I submit for the RECORD the testimony in support of S. 555 presented by Senator MOYNIHAN, Representative BIAGGI, and Handgun Control Inc., and the testimony of the National Rifle Association so my colleagues can carefully review the position of those opposing this bill. Hopefully, all parties interested in this legislation will work with me in drafting a compromise so we can move forward in protecting the lives of our law enforcement officers.

The material follows:

TESTIMONY OF DANIEL PATRICK MOYNIHAN ON S. 555, THE LAW ENFORCEMENT OFFICERS PROTECTION ACT

Mr. Chairman, I come before you today on behalf of the Nation's 528,000 law enforcement officers. We have but a single purpose: To ask, will the United States Congress enact legislation to protect them from armor-piercing handgun ammunition, capable of penetrating the standard bullet-proof vest now worn routinely by more than 250,000 of these officers? Or will Congress fail to act, for fear of offending the special interest groups that as a matter of orthodoxy will oppose any government restriction on any bullet?

The job of a law enforcement officer is to risk his life, every day, maintaining the peace and ferreting out criminal activities. Our job is to govern. If we do not address the serious danger posed to law enforcement officers by armor-piercing ammunition, commonly referred to as cop-killer bul-

lets, and do not do so promptly, we should and shall be held accountable by the men and women who perform so valiantly at our behest.

Two years ago, I joined with my distinguished colleague in the House and fellow New Yorker, Mario Biaggi—himself a former police officer wounded 10 times during his 23 year career—and on behalf of the New York City Police Department, in introducing a bill to ban the manufacture, import, sale, and use of cop-killer bullets. The need to limit the availability of such ammunition was urgent then, and remains so today. The development of bulletproof vests in the mid-1970's provided law enforcement officers with greater protection than ever before. These vests, made of layers of woven Kevlar, a synthetic fiber produced by the DuPont Company, have so far been credited with saving the lives of more than 400 officers. The FBI's most recent statistics document that the number of law enforcement officers killed in the line of duty by handguns declined 43 percent from 1974 (when such vests were first made available to police departments) to 1983. These vests, however, are rendered virtually useless by cop-killer bullets.

These small caliber, pointed bullets, usually made of brass or steel, differ from regular ammunition in two chief respects: their rapid speed of travel, and their capacity to retain their shape on impact. Perhaps the best known version of this ammunition is the KTW bullet, manufactured by the North American Ordinance Corporation in Pontiac, Michigan. In a test conducted by the California State Police, this bullet, with an apple green Teflon coating to enhance its penetrating ability, was found capable of piercing four standard bulletproof vests (72 layers of Kevlar) and five Los Angeles County phone books placed behind the vests. The awesome power of the KTW bullet is not significantly greater than other types of armor-piercing ammunition. In fact, a 1982 FBI study identified eight different bullets—five domestically produced and three imported—that can easily pierce the standard vests worn by law enforcement officers (18 layers of Kevlar).

I submit that these bullets have absolutely no commercial value. Armor-piercing bullets were first designed for use by law enforcement officers themselves, shooting at cars and barricades, but since then they have been strictly prohibited by most police departments. In fact, there is not one single police department in the country known to sanction officially the use of this ammuni-

tion. With good reason: Armor-piercing handgun ammunition is too unpredictable for police use. It often ricochets off the objects toward which it is fired, significantly increasing the chance of bodily injury to other law enforcement officers and innocent bystanders. Some types of armor-piercing ammunition are so volatile that they damage irreparably the barrel of any handgun from which they are fired. As Captain John Sibley of the Rochester (Minnesota) Police Force observed:

There can't be any other reason for such bullets in a handgun except to shoot police officers.

Every major law enforcement organization in the United States shares this sentiment. The National Fraternal Order of Police, the International Association of Chiefs of Police, the International Union of Police Associations, the International Brotherhood of Police Officers, the National Association of Police Organizations, and the Federal Law Enforcement Officers Association, in addition to hundreds of State and local police groups and the National Association of Counties, strongly support a ban on cop-killer bullets and have urged Congress to act on this legislation. While some individual law enforcement officers may advocate the use of armor-piercing handgun ammunition, they do not speak for the overwhelming number of police who are outraged about the lack of restrictions on cop-killer bullets.

Armor-piercing handgun ammunition is of no use to hunters and sportsmen. Standard ammunition can be used to achieve the same objectives, and in a safer and more certain fashion. Animals shot with armor-piercing projectiles die slow deaths, usually from loss of blood, because the bullets typically pass through the body cavity without fragmenting on impact. Indeed, for this reason, many States explicitly forbid the use of such bullets for shooting game.

The legislation Congressman Biaggi and I proposed in the 97th Congress, and introduced in this Congress as S. 555 and H.R. 953, would direct the Department of the Treasury to determine which bullets, when fired from a handgun with a barrel 5 inches or less in length, are capable of penetrating the equivalent of 18 layers of Kevlar, the standard composition of most police vests. The Department then would publish its findings in the Federal Register, and 60 days after publication those bullets so identified would be banned from further manufacture, import, sale, and use—except when authorized by the Secretary of the Treasury

pay when the safety of law enforcement officers and others hangs in the balance.

Let there be no mistake. Any effort to ban armor-piercing handgun ammunition will be opposed by the NRA on narrow ideological reasons, no matter how carefully we define the ban. The NRA would have us wait to enact such a ban until dozens, perhaps hundreds, of law enforcement officers wearing vests are shot dead by those wholly unnecessary bullets. In the meantime, domestic manufacturers and importers and Federally licensed firearm dealers would continue to pedal cop-killer bullets, at the potential expense of every law enforcement officer wearing a vest. My question is, "why must we wait until then?"

I would like to mention and commend the efforts of Handgun Control, Inc., an organization that has assisted local officials here in Washington, D.C. as well as elsewhere in providing soft body armor to police officers who previously had no access to these vests. Handgun Control has joined with law enforcement organizations in vigorously supporting legislation to ban cop-killer bullets, and in so doing has performed an important public service.

While the Congress has yet to act upon this legislation I am encouraged by the response our bill has elicited from State legislatures. Since we first offered our legislation nine States (Kansas, Oklahoma, Alabama, Rhode Island, Illinois, California, Florida, Texas, and Indiana) and the District of Columbia have outlawed cop-killer bullets. Six more States (Minnesota, Louisiana, Montana, New Jersey, Maine and Virginia) have increased existing penalties for criminal possession or use of such bullets, and many others currently have legislation pending. The Administration also included, in the crime package approved by the Senate last month, criminal sanctions for the use of armor-piercing ammunition. In addition, Winchester-Western one of the Nation's largest ammunition manufacturers, has stopped producing armor-piercing bullets, and the DuPont Company has stopped selling Teflon to manufacturers of the KTW bullet, after determining the ammunition was being distributed to the general public.

Unfortunately, these efforts cannot provide law enforcement officers the protection they so deserve. We must do everything possible at the Federal level to prevent the criminal use of armor-piercing handgun ammunition. Certainly, as Mr. Edward Murphy, Legislative Counsel to the International Brotherhood of Police Officers, pointed out in his testimony before the House Subcommittee on Crime, there is ample precedent for Federal Legislation to ban this type of lethal ammunition:

The Congress has adopted a policy of restricting the availability and use of certain types of firearms and weapons in order to assist police officers in fighting crime. Congress has outlawed the sale of the short-barreled rifle, the sawed-off shotgun, machine guns, and classes of weapons known as "destructive devices." Congress has provided a stiff deterrent to the sale or possession of such weapons as the means of controlling their availability. This method, while not completely effective, has at least provided officers with an instrument to combat their availability and use.

Police officers are pleading for this additional protection. How long can we ignore these pleas?

As sentiment against cop-killer bullets continues to build across the country, it is

incumbent on the U.S. Congress to address the issue.

STATEMENT SUBMITTED TO THE SENATE JUDICIARY COMMITTEE SUBCOMMITTEE ON CRIMINAL LAW

(By Donald E. Fraher)

Handgun Control, Inc., is a national citizens organization of over 821,000 Americans concerned about handgun violence. We are working for the passage of a federal law to keep handguns out of the wrong hands. HCI strongly supports the Law Enforcement Officers Protection Bill (S. 555) and applauds the tireless efforts of Senator Daniel Patrick Moynihan and Congressman Mario Biaggi to achieve passage of this vital legislation.

The proliferation of cop-killer bullets is of great concern to our supporters, many of whom serve in the law enforcement community. Handguns account for over 75 percent of police deaths in the line of duty. For that reason, nearly half of the nation's police wear bulletproof vests for protection. It is our firm belief that the production of handgun bullets designed specifically to defeat those vests should be stopped immediately.

When the Law Enforcement Officers Protection Bill was first introduced, Handgun Control, Inc., supported it and assumed it would pass the Congress virtually unopposed. Before long, however, we realized the bill faced a fierce challenge by the National Rifle Association. It was then that we joined the law enforcement campaign to urge the bill's passage. The basis for our involvement is perhaps best expressed in a letter from a woman in Alexandria, Virginia, who wrote:

"DEAR CONGRESSMAN: As the mother of a local police officer, I urge you to ban the cop-killer bullet. I'm tired of the NRA having control of everything connected with guns in this country. Aside from police officers one of you gentlemen or the President may well be the next target of one of these bullets!"

Her sentiments are echoed by thousands of others—police officers and their friends and families as well as concerned Americans with no other personal stake in this issue but the safety of our law enforcement community and public officials. Most compelling of all are the letters we've received from police themselves—members of the rank and file who risk their lives every day in the line of duty. One such officer wrote:

"The public needs to be aware of this situation that we police officers are in. It's not bad enough that they (meaning the bad guys) have vehicles that will leave us in the dust, and better equipment than the smaller Dept. can offer the officer, but to give them something of this quality that is capable of penetrating a vest that a police officer has gone to all the trouble to put on and then put up with all the hassle of wearing it. It just doesn't seem fair."

Thousands of these rank and file law enforcement officers have signed our petitions endorsing S. 555. Not only individuals, but the largest law enforcement organizations in the country as well have demanded a ban on cop-killer bullets. At last count, 36 police groups had officially endorsed S. 555, including the Fraternal Order of Police, the International Brotherhood of Police Officers, the International Association of Chiefs of Police, and state and local police organizations from Las Vegas, Nevada to Reading, Pennsylvania.

In addition, we submit for the record a compilation of 136 editorials from all across America calling for passage of the Moynihan-Biaggi bill. More newspapers endorse the bill each week.

The reasons for this public outcry are sound. It may be true that bulletproof vests

were never intended to protect the wearer from every firearm attack. But they were designed to defend police from the most common and deadly attack—by handguns. FBI crime statistics show that street criminals simply do not kill police with long guns, fists, bottles, bricks, knives, or any other conceivable weapon nearly as often as with handguns. The same is true for our elected officials—the chief threat to our President and other prominent public figures is the concealable handgun. The purpose of bulletproof vests is to protect against handgun fire, and since 1975 they've been doing a good job. According to the Department of Justice, approximately 400 police lives have been saved by the vests, and in the first years the vests were used (1974-1981), police deaths declined 31 percent.

That's why cop-killer bullets are such a terrible threat. When fired from an ordinary handgun, these bullets negate any benefit of wearing a bulletproof vest.

Perhaps defense of these bullets would be feasible if they had any legitimate use. Opponents of the cop-killer bullet ban are hard-pressed to find any such purpose. Law enforcement has refused to use them, despite any contention by their manufacturers that they are designed for police. Aside from the fact that police rarely require a handgun bullet capable of penetrating walls, cement blocks and steel, the bullets are simply too dangerous to use. If they hit their target, they are quite likely to keep on going and injure innocent bystanders or even people beyond walls. They also ricochet far more than ordinary bullets and, again, increase the risk of hitting the wrong target.

Responding to the widespread opposition to continued sale of cop-killer bullets, at least 10 state legislatures and the City Council of the District of Columbia have outlawed them. Kansas, Oklahoma, Alabama, Rhode Island, Illinois, Hawaii and California paved the way in 1982. In 1983, Florida, Indiana and Texas joined them. These states represent every geographical area of the United States, and the margins by which their legislatures enacted cop-killer bullet bans were universally overwhelming.

The problem is that state laws end at state lines. Even those states that have acted on this threat are subject to proliferation of the bullets from their neighbors. We need a uniform national law to stop the cop-killer bullet. Even President Reagan acknowledged that fact when he addressed the National Rifle Association's national convention last year.

Despite its broad-based support, the Law Enforcement Officers Protection Bill has still to be enacted three years after its original introduction. The Reagan administration must accept partial responsibility for this failure. The Department of Justice promised to provide Congress with a test for identifying cop-killer bullets by the end of last summer, but has continually delayed. However, the National Rifle Association and the peddlers of cop-killer bullets, whose sole concern is profit, are far more culpable. They have sought to deceive the Congress about the true impact of this legislation.

The most misleading argument against S. 555 claims that cop-killer bullets cannot be defined and any legislation to ban them would inevitably outlaw a host of commonly used sporting ammunition. Yet the very proponents of that argument simultaneously assert that the manufacturers of cop-killer bullets have been instructed by the Treasury Department to sell them to police only, and therefore they pose no threat. There is something wrong with this logic.

KTW armor-piercing ammunition in Broward County, Florida. Their murderers were arrested shortly after the shooting armed with several boxes of the KTW bullets. Interestingly, the manufacturers of KTW bullets claim their ammunition is made and sold "For Police Use Only," and is not available to the public.

More recently, on the night of September 13, 1983, David Schwartz was arrested by Nassau County (NY) police on bank robbery charges. During a search of his home, police found a stockpile of weapons and ammunition, including 32 armor-piercing handgun cartridges.

A report prepared by the U.S. Bureau of Alcohol, Tobacco, and Firearms states that "approximately 30 million rounds" of a Czechoslovakian 9mm handgun bullet, that will easily penetrate the vests worn by police, were imported during the 1970's for commercial sale. Recent reports from law enforcement officials in my home state of New York indicate that "cop killer" bullets are still being sold in large quantities at local gun shops.

Beyond these facts, however, it is virtually impossible for anyone to determine the precise availability and use of these so-called "cop killer" bullets because national crime statistics do not show whether a bullet used in a crime is armor-piercing or otherwise. Commonsense, however, tells us that as the number of police officers wearing bullet resistant vests continues to grow, criminals have more reason to seek and use armor-piercing handgun ammunition.

These alarming facts have led individual police departments and major police organizations across the country to endorse a ban on armor-piercing "cop killer" bullets. These police organizations include the International Brotherhood of Police Officers, the National Association of Police Associations.

Public support has been equally overwhelming, as demonstrated by the fact that over 140 editorial boards from every region of the nation have called for a federal ban on armor-piercing handgun ammunition. Further, H.R. 953 has 184 House cosponsors and S. 555 has 17 Senate cosponsors.

Further, 10 states, as well as a number of localities, have enacted laws banning armor-piercing handgun bullets. They include, Alabama, California, Florida, Illinois, Indiana, Kansas, Maine, Oklahoma, Rhode Island and Texas.

Even the manufacturers agree that these awesome projectiles should not be available to the public. In fact, as stated previously, the manufacturers of the notorious KTW armor-piercing bullet have labeled their product for "Police Use Only."

Raising serious questions about their fierce opposition to a ban on "cop killer" bullets, the Executive Director of the NRA's Institute for Legislative Action, Warren Cassidy, has written that "clearly, ammunition designed to cut through armor is not used by hunters or competitive shooters. The ammunition is for specialized law enforcement and military uses only. The NRA understands this." (The Firing Line, August 15, 1983). One must wonder, then, why the NRA does not understand the need for a ban on armor-piercing handgun ammunition, except for police or military use.

"How ironic," I thought, after learning that the armor-piercing "cop killer" bullets the police community feared were made originally to help police. Adding to the irony was the fact that the law enforcement community—for whom the bullets were intended—considered the armor-piercing handgun ammunition too dangerous even for police use. In fact, the International Association of Chiefs of Police, Inc., commented in a letter to me in January 1982 that

"we can find no legitimate use for (armor-piercing) ammunition, either in or out of law enforcement. The manufacturer's position that it is 'for police use only' is ludicrous."

The IACP's claim is further substantiated by Remington Arms and Winchester, two of our nation's largest ammunition manufacturers. Remington began making a special metal penetrating load for police use in 1938. However, it was discontinued in 1965. According to Du Pont, Remington's parent company, "These loads were originally intended for use by police officers for penetrating metal, particularly fleeing cars. They were discontinued long before the advent of modern soft body armor. There does not appear to be sufficient demand for such loads for law enforcement purposes to justify their current production."

Winchester began making a metal-piercing handgun cartridge in 1937. However, according to their parent company, Olin Corporation, "The revelation that some pistol cartridges have the ability to penetrate body armor caused Winchester to review their product line. Although the .357 magnum and .38 special metal-piercing cartridges were added to our product line in 1937 as a result of police requests, due to low current interest by police departments . . . on February 22, (1982) the President of Winchester, H. E. Blaine, issued the directive that the metal-piercing cartridges no longer be manufactured."

With these facts in mind, it was certainly no surprise, then, to learn that both the Treasury and Justice Departments shared my concern about this problem. As far back as September 1979, the Treasury Department informed me that "we share your concern and that of all law enforcement agencies with the availability of (the KTW) and other ammunition capable of going through the body armor used by officers. We sincerely regret that law officers have lost their lives through misuse of this ammunition." In February of 1982, the Treasury Department reiterated their concern in a letter to me stating that "the Department shares your concern that armor-piercing bullets pose a danger to law enforcement officers."

In testimony nearly 2 years ago before the House Subcommittee on Crime, then-Associate Attorney General Rudolph W. Giuliani was even more specific in stating Justice Department concerns. He stated, "We see no legitimate reason for private use or possession of handgun bullets, such as the KTW, that are designed to penetrate armor."

Acting with what appeared to be consensus support from the police community, the Administration, and even the manufacturers of armor-piercing handgun ammunition, I first authorized a bill in February 1982 to ban these so-called "cop killer" bullets, except when needed for police or military use (my earlier bill had merely called for a study). An identical bill, H.R. 953, was reintroduced this Congress, and a companion bill, S. 555, has also been introduced in the Senate by my distinguished colleague from New York, Pat Moynihan.

Contrary to what some critics might want to believe, H.R. 953/S. 555 is not some deviously contrived gun control measure aimed at infringing on the legitimate use of firearms or ammunition—a right which I fully support. Instead, it uses an approach based largely on commonsense to outlaw a very small class of handgun bullets that benefit only one element of our society—the criminal element.

Specifically, this legislation would direct our federal firearms regulatory agency, the Department of Treasury, to determine which handgun cartridges can penetrate the

equivalent of an 18-layer Kevlar vest (the most popular police vest) when fired out of a gun barrel five inches or less in length.

Once identified as armor-piercing, those handgun cartridges would be banned from future manufacture, importation, or sale, except when needed for police or military use. The bill would also provide mandatory penalties for any person convicted of using armor-piercing handgun bullets in a crime.

The penalties, imposed by this measure are consistent with current firearms violation laws. Under the provisions of this Act, any person who makes, imports, or sells one of these restricted bullets would be subject to a fine of not more than \$10,000, imprisonment for not more than 10 years, and revocation of their Federal license.

A person using or carrying a restricted bullet during the commission of a felony would be subject to a mandatory, minimum prison sentence of not less than 1 year nor more than 10 years for the first offense, and not less than 2 years nor more than 25 years for the second or subsequent offense. This mandatory sentence would be in addition to any penalty imposed for the original crime.

Let me emphasize that this bill is not in any way intended to penalize those persons who possess this type of ammunition for legitimate purposes, such as gun collectors. My sole intent is to keep these bullets away from criminals. While the future manufacture, importation, or sale would be banned, this Act would not be retroactive in scope.

The problem has been clearly defined and a reasonable solution has been proposed by myself and Senator MOYNIHAN. Yet, the Congress has failed to enact a federal ban against armor-piercing "cop killer" bullets. Why? There are two major reasons: first, the National Rifle Association strongly opposes a ban on armor-piercing handgun ammunition; second, the Reagan Administration, while seemingly not opposed to the idea, has offered very little meaningful support for such a ban.

The gun lobby's opposition to a ban on armor-piercing handgun ammunition is nothing but a knee-jerk reaction based more on paranoia than on any semblance of reason. Consider, for example, an article written by Evan Marshall for the Gun Owners of America, which stated, "The National Rifle Association has wisely recognized that the 'Killer Bullet' controversy represents a gun control issue. If the anti-gun people can begin to restrict ammunition, they can get gun control through the back door."

Normally, I would not waste my time to respond to such a ludicrous and reckless statement. Yet, because this paranoid mentality has placed the lives of our police officers in grave jeopardy, I cannot allow such warped reasoning to go unchallenged. Let me first reemphasize that the bullets my bill seeks to ban are not used for legitimate purposes. Secondly, I want to once again state my support of the right to bear firearms for legitimate purposes. Simply stated, the issue my bill seeks to address is police protection, not gun control.

As a veteran police officer, I deeply resent the NRA's attempts to use their close ties to the law enforcement community to excuse their irresponsible and short-sighted position on this vital police protection issue. Simply put, the NRA has revealed that their long stated commitment to police safety can be compromised, even when the rights of legitimate gun users are not threatened.

A brief review of the facts shows that when I first authored legislation to ban armor-piercing handgun ammunition, the NRA made blanket statements of opposi-



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