

Total Pages: _____

LRM ID: IMS9

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Monday, March 3, 1997

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: James J. Jukes (for) Assistant Director for Legislative Reference
OMB CONTACT: Ingrid M. Schroeder *Ingrid M. Schroeder for Jukes*
PHONE: (202)395-3883 FAX: (202)395-3109

SUBJECT: JUSTICE Proposed Draft Bill on Saving Law Enforcement Officers' Lives Act of 1997

Firm DEADLINE: COB Tuesday, March 4, 1997

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: According to Justice, the President is planning to announce the Administration's transmittal of this draft bill on Thursday, March 6th.

An identical draft bill was transmitted to the 104th Congress by the President in June of 1995. Justice advises that this draft bill will not be a Presidential transmittal, but instead will be transmitted to Congress by the Department of Justice.

DISTRIBUTION LIST

AGENCIES:

118-TREASURY - Richard S. Carro - (202) 622-0650

EOP:

David J. Haun
Edward H. Chase
Kenneth L. Schwartz
Kevin P. Cichetti
Alan B. Rhinesmith
Harry G. Meyers
Michael F. Crowley
Michael Deich
Daniel M. Tangherlini
Ellen J. Balis
Jefferson B. Hill
Robert G. Damus
Charles Konigsberg

*COB
Killer
Bullets*

Alice E. Shuffield
Tracey E. Thornton
Dainel C. Tate
Robert W. Schroeder
Bruce N. Reed
Dennis K. Burke
Rahm I. Emanuel
G. Timothy Saunders
James C. Murr

**RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM**

_____ Concur
 _____ No Objection
 _____ No Comment
 _____ See proposed edits on pages _____
 _____ Other: _____
 _____ FAX RETURN of _____ pages, attached to this response sheet

Draft

A BILL

To save the lives of America's law enforcement officers.

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
"Saving Law Enforcement Officers' Lives Act of 1995."

SEC. 2. DEFINITION OF ARMOR PIERCING AMMUNITION.--Section
921(a)(17)(B) of title 18, United States Code, is amended--

(a) by striking "or" at the end of clause (i);

(b) by striking the period at the end of clause (ii)
and inserting "; or"; and

(c) by adding at the end the following:

"(iii) a projectile that may be used in a handgun and
that the Secretary determines pursuant to the procedure specified
in section 926(d) to be capable of penetrating body armor."

SEC. 3. DETERMINATION OF THE CAPABILITY OF PROJECTILES TO
PENETRATE BODY ARMOR.--Section 926 of title 18, United States
Code, is amended by adding at the end the following:

"(d)(1) The Secretary shall determine whether a projectile
is capable of penetrating body armor, in accordance with
regulations which the Secretary may prescribe. Such regulations
shall provide for uniform testing of projectiles against the Body
Armor Exemplar, based on standards developed by the Secretary.

"(2) As used in paragraph (1), the term 'Body Armor
Exemplar' means body armor that the Secretary determines meets

1 minimum standards for protection of law enforcement officers.

2 "(3) Before promulgating regulations under this subsection,
3 the Secretary shall select and consult with representatives of:

4 "(A) Federal, State, county, and local law
5 enforcement;

6 "(B) organizations representing the sporting use of
7 firearms;

8 "(C) the industries involved in the manufacture of
9 ammunition and of articles of protective gear generally known as
10 'bullet-proof vests'; and

11 "(D) members of the ammunition and protective gear
12 research community.

13 "(4) No regulation promulgated pursuant to this subsection
14 shall take effect until 45 days after it is published in the
15 Federal Register and delivered to the Congress, during which time
16 the Congress may by law repudiate such regulation."

17 SEC. 4. AUTHORIZATION OF APPROPRIATIONS.--There are
18 authorized to be appropriated to the Secretary of the Treasury
19 such sums as may be necessary to --

20 (a) develop and implement performance measures for armor
21 piercing ammunition; and

22 (b) promulgate regulations for performance measures for
23 armor piercing ammunition.

SAVING LAW ENFORCEMENT OFFICERS' LIVES ACT OF 1995**SECTION-BY-SECTION ANALYSIS**

Section 1 is the short title.

Section 2 amends section 921 of title 18, United States Code, which defines armor piercing ammunition. The amendment would add a reference to the performance standards to be developed by the Secretary of the Treasury pursuant to section 3. The manufacture, importation, sale, and delivery of armor piercing ammunition is prohibited by current law (18 U.S.C. 922(a)(7-8) and 923(e)).

Section 3 requires the Secretary of the Treasury to determine whether a projectile that may be used in a handgun is capable of penetrating body armor (e.g., bullet-proof vests). The section authorizes the Secretary to issue regulations to provide for uniform testing of projectiles based on standards established by the Secretary.

Before issuing such regulations, the Secretary would have to consult with representatives of Federal, State, county, and local law enforcement; organizations representing the sporting use of firearms; the manufacturers of ammunition and of bullet-proof vests; and the ammunition and protective gear research community.

No such regulation could take effect until 45 days after it was published in the Federal Register and delivered to the Congress. During the 45-day period, the Congress could repudiate such regulations by law.

Section 4 authorizes the appropriation of such sums as may be necessary to develop and implement performance measures for armor piercing ammunition and to issue regulations for performance measures for armor piercing ammunition.

TO THE CONGRESS OF THE UNITED STATES:

Today I am transmitting for your immediate consideration and enactment the "Saving Law Enforcement Officers' Lives Act of 1995." This Act would limit the manufacture, importation, and distribution of handgun ammunition which serves little sporting purpose, but which kills law enforcement officers.

Existing law already provides for limits on ammunition based on the specific materials from which it is made. It does not, however, address the problem of excessively powerful ammunition based on its performance.

Criminals should not have access to handgun ammunition which will pierce the bullet-proof vests worn by law enforcement officers. That is the standard by which so-called "cop-killer" bullets are judged. My proposal would limit the availability of this ammunition.

The process of designating such ammunition should be a careful one and should be undertaken in close consultation with all those who are affected, including representatives of law enforcement, sporting groups, the industries which manufacture bullet-proof vests and ammunition, and the academic research community. For that reason, the legislation requires the Secretary of the Treasury to consult with the appropriate groups before regulations are promulgated. The legislation also provides for congressional review of the proposed regulations before they take effect.

The details of this proposal are described in the enclosed section-by-section analysis.

This legislation will save the lives of law enforcement officers without affecting the needs of legitimate sporting enthusiasts. I urge its prompt and favorable consideration by the Congress.

THE WHITE HOUSE,

* Justice is in the process of drafting a transmittal letter that will closely track the attached letter used in 1995.

THE WHITE HOUSE
Office of the Press Secretary

FYI

For Immediate Release

June 30, 1995

"Saving Law Enforcement Officers' Lives Act of 1995"

FACT SHEET

The President has transmitted to the Congress a legislative proposal entitled the "Saving Law Enforcement Officers' Lives Act of 1995." This legislation would improve the Government's ability to protect law enforcement officers from handgun ammunition which -- as the result of its performance -- is unduly dangerous.

Federal law already authorizes restrictions on the manufacture, importation, and distribution of handgun ammunition made from certain types of materials. However, there are no restrictions on ammunition that may be manufactured from commonly used materials, but which by virtue of other factors, can pierce the bullet-proof vests worn by law enforcement officers.

The Saving Law Enforcement Officers' Lives Act of 1995 would:

- o Direct the Secretary of the Treasury to determine if certain handgun ammunition -- by virtue of its performance -- is excessively dangerous to law enforcement officers because it will pierce standard bullet-proof vests. The Secretary would by regulation establish standards for the uniform testing of such ammunition.
- o Prohibit the manufacture, importation, and distribution of handgun ammunition that functions at or above this uniform standard.
- o Require the Secretary of the Treasury to consult with law enforcement representatives, sporting groups, bullet-proof vest manufacturers, ammunition manufacturers, and the academic research community in developing the regulations authorized by this Act.
- o Require the Secretary of the Treasury to provide copies of the proposed regulations to the Congress, and provide that such regulations would not take effect for 45 days thereafter, giving the Congress the time to act to override them.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

June 29, 1995

MEMORANDUM FOR THE PRESIDENT

FROM: Alice M. Rivlin

SUBJECT: Presidential Transmittal of the "Saving Law
Enforcement Officers' Lives Act of 1995"

I am forwarding a legislative proposal -- entitled the "Saving Law Enforcement Officers' Lives Act of 1995" -- for your transmittal to the Congress. This legislation addresses the problem of so-called "cop killer" bullets.

Current law prohibits the manufacture, importation, and distribution of armor piercing ammunition based on its physical composition. This legislation would expand the definition of armor piercing ammunition to include a reference to performance standards (e.g., the ability to pierce bullet-proof vests). The standards would be developed by the Treasury Department.

These materials -- a Presidential transmittal message, the legislative proposal, a section-by-section analysis, and a fact sheet -- were prepared by the Department of Justice and have been reviewed and approved by the Department of the Treasury, the Domestic Policy Council, the Office of White House Counsel, and this Office.

Attachments

TO THE CONGRESS OF THE UNITED STATES:

Today I am transmitting for your immediate consideration and enactment the "Saving Law Enforcement Officers' Lives Act of 1995." This Act would limit the manufacture, importation, and distribution of handgun ammunition which serves little sporting purpose, but which kills law enforcement officers.

Existing law already provides for limits on ammunition based on the specific materials from which it is made. It does not, however, address the problem of excessively powerful ammunition based on its performance.

Criminals should not have access to handgun ammunition which will pierce the bullet-proof vests worn by law enforcement officers. That is the standard by which so-called "cop-killer" bullets are judged. My proposal would limit the availability of this ammunition.

The process of designating such ammunition should be a careful one and should be undertaken in close consultation with all those who are affected, including representatives of law enforcement, sporting groups, the industries which manufacture bullet-proof vests and ammunition, and the academic research community. For that reason, the legislation requires the Secretary of the Treasury to consult with the appropriate groups before regulations are promulgated. The legislation also provides for congressional review of the proposed regulations before they take effect.

The details of this proposal are described in the enclosed section-by-section analysis.

This legislation will save the lives of law enforcement officers without affecting the needs of legitimate sporting enthusiasts. I urge its prompt and favorable consideration by the Congress.

THE WHITE HOUSE,

A BILL

To save the lives of America's law enforcement officers.

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

3 SECTION 1. SHORT TITLE.--This Act may be cited as the
4 "Saving Law Enforcement Officers' Lives Act of 1995."

5 SEC. 2. DEFINITION OF ARMOR PIERCING AMMUNITION.--Section
6 921(a)(17)(B) of title 18, United States Code, is amended--

7 (a) by striking "or" at the end of clause (i);

8 (b) by striking the period at the end of clause (ii)
9 and inserting "; or"; and

10 (c) by adding at the end the following:

11 "(iii) a projectile that may be used in a handgun and
12 that the Secretary determines pursuant to the procedure specified
13 in section 926(d) to be capable of penetrating body armor."

14 SEC. 3. DETERMINATION OF THE CAPABILITY OF PROJECTILES TO
15 PENETRATE BODY ARMOR.--Section 926 of title 18, United States
16 Code, is amended by adding at the end the following:

17 "(d)(1) The Secretary shall determine whether a projectile
18 is capable of penetrating body armor, in accordance with
19 regulations which the Secretary may prescribe. Such regulations
20 shall provide for uniform testing of projectiles against the Body
21 Armor Exemplar, based on standards developed by the Secretary.

22 "(2) As used in paragraph (1), the term 'Body Armor
23 Exemplar' means body armor that the Secretary determines meets

1 minimum standards for protection of law enforcement officers.

2 "(3) Before promulgating regulations under this subsection,
3 the Secretary shall select and consult with representatives of:

4 "(A) Federal, State, county, and local law
5 enforcement;

6 "(B) organizations representing the sporting use of
7 firearms;

8 "(C) the industries involved in the manufacture of
9 ammunition and of articles of protective gear generally known as
10 'bullet-proof vests'; and

11 "(D) members of the ammunition and protective gear
12 research community.

13 "(4) No regulation promulgated pursuant to this subsection
14 shall take effect until 45 days after it is published in the
15 Federal Register and delivered to the Congress, during which time
16 the Congress may by law repudiate such regulation."

17 SEC. 4. AUTHORIZATION OF APPROPRIATIONS.--There are
18 authorized to be appropriated to the Secretary of the Treasury
19 such sums as may be necessary to --

20 (a) develop and implement performance measures for armor
21 piercing ammunition; and

22 (b) promulgate regulations for performance measures for
23 armor piercing ammunition.

SAVING LAW ENFORCEMENT OFFICERS' LIVES ACT OF 1995**SECTION-BY-SECTION ANALYSIS**

Section 1 is the short title.

Section 2 amends section 921 of title 18, United States Code, which defines armor piercing ammunition. The amendment would add a reference to the performance standards to be developed by the Secretary of the Treasury pursuant to section 3. The manufacture, importation, sale, and delivery of armor piercing ammunition is prohibited by current law (18 U.S.C. 922(a)(7-8) and 923(e)).

Section 3 requires the Secretary of the Treasury to determine whether a projectile that may be used in a handgun is capable of penetrating body armor (e.g., bullet-proof vests). The section authorizes the Secretary to issue regulations to provide for uniform testing of projectiles based on standards established by the Secretary.

Before issuing such regulations, the Secretary would have to consult with representatives of Federal, State, county, and local law enforcement; organizations representing the sporting use of firearms; the manufacturers of ammunition and of bullet-proof vests; and the ammunition and protective gear research community.

No such regulation could take effect until 45 days after it was published in the Federal Register and delivered to the Congress. During the 45-day period, the Congress could repudiate such regulations by law.

Section 4 authorizes the appropriation of such sums as may be necessary to develop and implement performance measures for armor piercing ammunition and to issue regulations for performance measures for armor piercing ammunition.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

June 30, 1995

"Saving Law Enforcement Officers' Lives Act of 1995"**FACT SHEET**

The President has transmitted to the Congress a legislative proposal entitled the "Saving Law Enforcement Officers' Lives Act of 1995." This legislation would improve the Government's ability to protect law enforcement officers from handgun ammunition which -- as the result of its performance -- is unduly dangerous.

Federal law already authorizes restrictions on the manufacture, importation, and distribution of handgun ammunition made from certain types of materials. However, there are no restrictions on ammunition that may be manufactured from commonly used materials, but which by virtue of other factors, can pierce the bullet-proof vests worn by law enforcement officers.

The Saving Law Enforcement Officers' Lives Act of 1995 would:

- o Direct the Secretary of the Treasury to determine if certain handgun ammunition -- by virtue of its performance -- is excessively dangerous to law enforcement officers because it will pierce standard bullet-proof vests. The Secretary would by regulation establish standards for the uniform testing of such ammunition.
- o Prohibit the manufacture, importation, and distribution of handgun ammunition that functions at or above this uniform standard.
- o Require the Secretary of the Treasury to consult with law enforcement representatives, sporting groups, bullet-proof vest manufacturers, ammunition manufacturers, and the academic research community in developing the regulations authorized by this Act.
- o Require the Secretary of the Treasury to provide copies of the proposed regulations to the Congress, and provide that such regulations would not take effect for 45 days thereafter, giving the Congress the time to act to override them.



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

Advance

June 29, 1995

MEMORANDUM FOR THE PRESIDENT

FROM: Alice M. Rivlin

SUBJECT: Presidential Transmittal of the "Saving Law Enforcement Officers' Lives Act of 1995"

I am forwarding a legislative proposal -- entitled the "Saving Law Enforcement Officers' Lives Act of 1995" -- for your transmittal to the Congress. This legislation addresses the problem of so-called "cop killer" bullets.

Current law prohibits the manufacture, importation, and distribution of armor piercing ammunition based on its physical composition. This legislation would expand the definition of armor piercing ammunition to include a reference to performance standards (e.g., the ability to pierce bullet-proof vests). The standards would be developed by the Treasury Department.

These materials -- a Presidential transmittal message, the legislative proposal, a section-by-section analysis, and a fact sheet -- were prepared by the Department of Justice and have been reviewed and approved by the Department of the Treasury, the Domestic Policy Council, the Office of White House Counsel, and this Office.

Attachments

Draft

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

June 30, 1995

"Saving Law Enforcement Officers' Lives Act of 1995"FACT SHEET

The President today transmitted to Congress a legislative proposal entitled the "Saving Law Enforcement Officers' Lives Act of 1995." This legislation would improve the Government's ability to protect law enforcement officers from handgun ammunition which -- as the result of its performance -- is unduly dangerous.

Federal law already authorizes restrictions on the manufacture, importation, and distribution of handgun ammunition made from certain types of materials. However, there are no restrictions on ammunition which may be manufactured from commonly used materials, but which by virtue of other factors, can pierce the bullet-proof vests worn by law enforcement officers.

The Saving Law Enforcement Officers' Lives Act of 1995 would:

- Direct the Secretary of the Treasury to determine whether projectiles used in handgun ammunition -- by virtue of their performance -- are excessively dangerous to law enforcement officers because they will pierce standard bullet-proof vests. The Secretary would by regulation establish standards for the uniform testing of such ammunition.
- Prohibit the manufacture, importation, and distribution of handgun ammunition which uses projectiles that function at or above this uniform standard.
- Require the Secretary of the Treasury to consult with law enforcement representatives, sporting groups, bullet-proof vest manufacturers, ammunition manufacturers, and the academic research community in developing the regulations authorized by this Act.
- Require the Secretary of the Treasury to provide copies of the proposed regulations to the Congress, and provide that such regulations would not take effect for 45 days thereafter, giving Congress the time to act to override them.

TO THE CONGRESS OF THE UNITED STATES:

Today I am transmitting for your immediate consideration and enactment the "Saving Law Enforcement Officers' Lives Act of 1995." This Act would limit the manufacture, importation, and distribution of handgun ammunition which serves little sporting purpose, but which kills law enforcement officers.

Existing law already provides for limits on ammunition based on the specific materials from which it is made. It does not, however, address the problem of excessively powerful ammunition based on its performance.

Criminals should not have access to handgun ammunition which will pierce the bullet-proof vests worn by law enforcement officers. That is the standard by which so-called "cop-killer" bullets are judged. My proposal would limit the availability of this ammunition.

The process of designating such ammunition should be a careful one and should be undertaken in close consultation with all those who are affected, including representatives of law enforcement, sporting groups, the industries which manufacture bullet-proof vests and ammunition, and the academic research community. For that reason, the legislation requires the Secretary of the Treasury to consult with the appropriate groups before regulations are promulgated. The legislation also provides for congressional review of the proposed regulations before they take effect.

The details of this proposal are described in the enclosed section-by-section analysis.

This legislation will save the lives of law enforcement officers without affecting the needs of legitimate sporting enthusiasts. I urge its prompt and favorable consideration by the Congress.

THE WHITE HOUSE,

A BILL

To save the lives of America's law enforcement officers.

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
"Saving Law Enforcement Officers' Lives Act of 1995."

SEC. 2. DEFINITION OF ARMOR PIERCING AMMUNITION.--Section
921(a)(17)(B) of title 18, United States Code, is amended--

(a) by striking "or" at the end of clause (i);

(b) by striking the period at the end of clause (ii)
and inserting "; or"; and

(c) by adding at the end the following:

"(iii) a projectile that may be used in a handgun and
that the Secretary determines pursuant to the procedure specified
in section 926(d) to be capable of penetrating body armor."

SEC. 3. DETERMINATION OF THE CAPABILITY OF PROJECTILES TO
PENETRATE BODY ARMOR.--Section 926 of title 18, United States
Code, is amended by adding at the end the following:

"(d)(1) The Secretary shall determine whether a projectile
is capable of penetrating body armor, in accordance with
regulations which the Secretary may prescribe. Such regulations
shall provide for uniform testing of projectiles against the Body
Armor Exemplar, based on standards developed by the Secretary.

"(2) As used in paragraph (1), the term 'Body Armor
Exemplar' means body armor that the Secretary determines meets

1 minimum standards for protection of law enforcement officers.

2 "(3) Before promulgating regulations under this subsection,
3 the Secretary shall select and consult with representatives of:

4 "(A) Federal, State, county, and local law
5 enforcement;

6 "(B) organizations representing the sporting use of
7 firearms;

8 "(C) the industries involved in the manufacture of
9 ammunition and of articles of protective gear generally known as
10 'bullet-proof vests'; and

11 "(D) members of the ammunition and protective gear
12 research community.

13 "(4) No regulation promulgated pursuant to this subsection
14 shall take effect until 45 days after it is published in the
15 Federal Register and delivered to the Congress, during which time
16 the Congress may by law repudiate such regulation."

17 SEC. 4. AUTHORIZATION OF APPROPRIATIONS.--There are
18 authorized to be appropriated to the Secretary of the Treasury
19 such sums as may be necessary to --

20 (a) develop and implement performance measures for armor
21 piercing ammunition; and

22 (b) promulgate regulations for performance measures for
23 armor piercing ammunition.

"SAVING LAW ENFORCEMENT OFFICERS' LIVES ACT OF 1995"

The Provision: The president announced a "cop killer bullet" proposal during a speech in Chicago on June 30, 1995. It would add a new definition to the "armor piercing ammunition" that is prohibited by existing sections of the criminal code.

Currently, the definition of armor piercing ammunition is "composition" based: federal law authorizes restrictions on the manufacture, importation, and distribution of ammunition made from certain materials that can pierce the bullet proof vests worn by law enforcement officers. However, there are no restrictions in the current law on projectiles which, by virtue of factors other than their composition, can also pierce such vests. The proposed act would include a performance based definition, thereby presumably reaching more types of lethal, armor piercing ammunition.

Additional Duties Under the Bill: The Administration's draft bill would specifically direct the Secretary of the Treasury to determine whether the performance of certain projectiles used in handgun ammunition allows for the penetration of body armor such as bullet proof vests. In making such a determination, the Secretary would consult with: organizations representing the sporting use of firearms; federal, state and local law enforcement; industries involved in the manufacture of ammunition and bullet proof vests; and members of the ammunition and protective gear research industry.

The bill would also have "teeth," since it would require the Secretary to issue regulations to prohibit the manufacture, importation, and distribution of ammunition found to have armor piercing capability.

Proponents and the Drafting Process: Congressman Schumer has supported this type of legislation, and introduced a bill on it last year during the initial counter-terrorism deliberations. No action has been taken on such a bill.

The Anti-Terrorism and Effective Death Penalty Act of 1996: The anti-terrorism bill signed by the President in April of 1996 has a provision requiring the Secretary of the Treasury, in conjunction with the Attorney General, to study and make recommendations concerning, among other things, the number of law enforcement officers "killed or injured because shots attributable to projectiles defined as 'armor piercing ammunition' . . . pierced the protective material of bullet resistant vests and bullet resistant headgear," and whether "current passive defensive strategies, such as body armor, are adequate to counter the criminal use of firearms against law officers." The section has no provision allowing for the promulgation of regulations on any additional armor piercing ammunition.

SAVING LAW ENFORCEMENT OFFICERS' LIVES ACT OF 1995

Q: What is the purpose of this legislation. Aren't "cop killer" bullets already banned?

A: Current law bans handgun projectiles made with certain dense metals that we know will let them penetrate police body armor. Last year we had to amend the definition to cover a new bullet, the M39B, that was designed differently than other armor piercing rounds.

The new law will provide for testing projectiles in addition to the existing component standard. It is forward looking, and would eliminate the need to pass a law every time some new design or technical development results in a cop killer bullet.

Q: What do you say to those who claim this is a ruse to ban all ammunition?

A: We disagree with that assertion. This is a reasonable step to protect law enforcement.

The bill requires that the ammunition industry, organizations representing the shooting sports, and ammunition researchers be consulted, along with others, on any regulations that would be issued.

Moreover, as an additional safeguard, Congress would have 45 days to stop any regulation that it found unwarranted.

In short, this a law that protects policemen and law abiding shooting sports enthusiasts, and brings together the ammunition industry, shooting enthusiasts and the government to best protect those who watch over all of us.

Q: What are the key elements of the President's bill?

A. If enacted, it would add a "performance" standard to the existing "composition" based definition of cop killer bullets.

It would create a reasonable testing standard.

It would enable us to act more quickly to prevent the mass sale of ammunition designed to penetrate police body armor.

It would be fair to all interested groups.

To the Congress:

Transmitted herewith is an Act to Save the Lives of America's Law Enforcement Officers which addresses a matter of the utmost urgency.

This Bill would provide the authority to limit the manufacture and distribution of handgun ammunition which serves little sporting purpose but which has the substantial effect of killing law enforcement officers. Existing law already provides for limits on ammunition based on the specific materials from it is made. However, existing law does not address the problem of ammunition based on its performance.

It is particularly important that we have the ability to limit the availability of handgun ammunition which, as the result of any one or more of a number of characteristics, is such that it will pierce even the best bullet-proof vests worn by law enforcement officers.

The process of designating such ammunition should be a careful one and should be undertaken in close consultation with all those who are affected, including law enforcement and the groups which represent it, sporting groups, the industries which manufacture bullet-proof vests and the academic research community. For that reason, this bill requires the Secretary of Treasury to consult with the appropriate groups before regulations are promulgated.

Even after the regulations are promulgated, this bill provides that the proposed regulations "lie on the table" in the Committees on the Judiciary of both the Senate and the House of Representatives. The regulations take effect only if the Congress does not act within 10 days, thus affording substantial Congressional oversight.

This is an important piece of legislation, one which will save the lives of law enforcement officers and one which can be enacted without affecting the needs of legitimate sporting enthusiasts. I appreciate your prompt action.

An Act to Save the Lives of Police Officers

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

PROTECTING LAW ENFORCEMENT OFFICERS' LIVES

(a) SHORT TITLE. This Act may be known as the Savings Police Officers' Lives Act of 1995.

(b) DEFINITION OF ARMOR PIERCING AMMUNITION. -- Section 921(a)(17)(B) of title 18, United States Code, is amended--

(1) by striking "or" at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting "; or"; and

(3) by adding at the end the following:

"(iii) a projectile that may be used in a handgun and that the Secretary determines pursuant to the procedure specified in sub-section (c) to be capable of penetrating body armor."

(c) DETERMINATION OF THE CAPABILITY OF PROJECTILES TO PENETRATE BODY ARMOR. -- Section 926 of such title is amended by adding at the end the following: "(d)(1) The Secretary shall determine whether a projectile is capable of penetrating body armor, in accordance with regulations which he may prescribe in accordance with the procedures set forth in subsection (c). Such regulations shall provide for uniform testing of projectiles against the Body Armor Exemplar, based on standards developed by the Secretary in consultation with representatives of Federal, state, county and local law enforcement agencies selected by the Secretary and their appropriate representatives selected by the Secretary."

"(2) As used in paragraph (1), the term 'Body Armor Exemplar' means body armor that the Secretary in conjunction with representatives of Federal, state, county and local law enforcement selected by the Secretary and their representatives selected by the Secretary, representatives of the industry involved in the manufacture of ammunition and the manufacture of articles of protective gear generally known as 'bulletproof vests' selected by the Secretary and the research community selected by the Secretary, determines meets minimum standards for protection of law enforcement officers."

(d) PROCEDURES. The Secretary is authorized to promulgate such regulations as he deems necessary to carry out the intent of this Act, upon a finding for which he shall make an administrative record, that any ammunition, the manufacture or importation of which would be prohibited under such regulation serves no substantial sporting service and serves primarily to kill human beings. Before promulgating any such regulation, the Secretary shall:

1. Consult with representatives of organizations representing the sporting use of firearms, which he shall select; and
2. Consult with appropriate representatives of Federal, state, county and local law enforcement, which he shall select; and
3. Consult with appropriate representatives of the industry involved in the manufacture of ammunition and the manufacture of articles of protective gear generally known as 'bulletproof vests', which he shall select; and

4. appropriate members of the ammunition and protective gear research community, which he shall select.

No regulation promulgated pursuant to this section shall take effect until ten days after the Secretary shall have caused it to be published in the Federal Register and cause it to be delivered to the Senate and the House of Representatives of the United States during which time the Congress may act to repudiate such regulation.

Proceeded to Kaden 4/1/96
cab

The current definition of armor piercing ammunition is based on objective physical features (ie. bullet material and construction) which can be readily identified by a manufacturer, or determined by physical examination of the ammunition. Adoption of a performance based definition presents certain administrative difficulties.

The penetration capability of ammunition is dependant upon a complex relationship of numerous variables such as bullet composition, bullet diameter, bullet shape, velocity, propellant, type of firearm, barrel length, distance from target, in addition to the composition and thickness of the target material. Any change in any of those variables may affect the penetration capability of the ammunition.

Because of the variables involved in ammunition performance, it will be difficult to devise a valid testing procedure. Due to variability in body armor it will be difficult to develop a suitable Body Armor Exemplar which duplicates the performance of body armor.

Once a particular testing criteria has been established, a vast quantity of ammunition samples will have to be examined and tested. Although the proposed legislation does not impose a requirement for anyone to submit samples, many manufacturers may wish to submit samples in order for them to know if their ammunition may lawfully be sold and distributed. There are currently approximately 4,000 licensed manufacturers of ammunition, many of whom produce numerous handgun loads.

It is likely that importers may be required to submit samples of handgun ammunition under a conditional importation permit in order to determine if their handgun ammunition is suitable for importation. Suspect ammunition which is involved in investigations or used in crimes will also have to be examined on a case by case basis.

In order to implement the provisions of this bill, it will be necessary to establish a fully funded, well equipped testing laboratory, having a large number of trained personnel with sufficient testing equipment, shooting ranges, a supply of test firearms in all calibers, and a continuing supply of Body Armor Exemplars sufficient to conduct thousands of ammunition tests on an ongoing basis.

Since many cartridges are interchangeable between rifles and handguns it is likely that many cartridges which are commonly used in rifles will be affected by the proposed legislation. However, many of these cartridges which are commonly used for sporting purposes will qualify for exemption from the armor piercing ammunition definition.

Some loads in a particular caliber will be banned while other

loads in that same caliber may still be manufactured and sold. Non-armor piercing ammunition may have the same physical appearance as armor piercing ammunition. For example, a cartridge with a particular bullet and a certain powder charge may not be armor piercing, while an identical cartridge having a slightly different powder charge could be armor piercing.

Once a particular lot of ammunition has been examined and tested, we cannot be certain if another lot, having slightly different characteristics, would be prohibited unless additional samples are examined and tested.

It should be noted that there will be no way for individuals, dealers, or law enforcement officers to know if certain rounds are armor piercing without submitting samples for testing. It should also be noted that there is a vast amount of ammunition hand loaded by thousands of unlicensed individuals.

No license is required for an individual to make ammunition for personal use, or to possess or deal in ammunition. Unlicensed individuals are prohibited from manufacturing armor piercing ammunition for sale or distribution or from using or possessing armor piercing ammunition in a crime of violence or drug trafficking crime as provided in 18 U.S.C. § 929(a)(1).

> 1

1 of 1 items

CQ's WASHINGTON ALERT 07/17/96

HR2386

Schumer (D-NY)

09/21/95

(94 lines)

Introduced in House

To save the lives of police officers.

Special typefaces used in this bill version:

// \\ Italic

!! !! Bold roman

Item Key: 5836

104TH CONGRESS
1ST SESSION

H. R. 2386

To save the lives of police officers.

=====

IN THE HOUSE OF REPRESENTATIVES

September 21, 1995

Mr. SCHUMER (by request) introduced the following bill; which was referred to the Committee on the Judiciary

=====

A BILL

To save the lives of police officers.

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

!!SECTION 1. PROTECTING LAW ENFORCEMENT OFFICERS' LIVES.!!

(a) **SHORT TITLE.**--This Act may be cited as the "Saving Police Officers' Lives Act of 1995".

(b) **DEFINITION OF ARMOR PIERCING AMMUNITION.**--Section 921(a)(17)(B) of title 18, United States Code, is amended--

- (1) by striking "or" at the end of clause (i);
- (2) by striking the period at the end of clause (ii) and inserting "; or"; and
- (3) by adding at the end the following:

"(iii) a projectile that may be used in a handgun and that the Secretary determines pursuant to the procedure specified in subsection (c) to be capable of penetrating body armor."

(c) **DETERMINATION OF THE CAPABILITY OF PROJECTILES TO PENETRATE BODY ARMOR.**--Section 926 of such title is amended by adding at the end the following:

"(d)(1) The Secretary shall determine whether a projectile is capable of penetrating body armor, in accordance with regulations which the Secretary may prescribe in accordance with the procedures set forth in subsection (c) for which the Secretary shall make an administrative record of projectiles against the Body Armor Exemplar, based on standards developed by the Secretary in consultation with representatives of Federal, State, county, and local law enforcement agencies selected by the Secretary.

"(2) As used in paragraph (1), the term 'Body Armor Exemplar' means body armor that the Secretary in conjunction with representatives of Federal, State, county, and local law enforcement selected by the Secretary, representatives of the industry involved in the manufacture of ammunition and the manufacture of articles of protective gear, generally known as bulletproof vests, selected by the Secretary and the research community selected by the Secretary, determines meets minimum standards for protection of law enforcement officers."

(d) **PROCEDURES.**--The Secretary is authorized to promulgate such regulations as the Secretary deems necessary to carry out the intent of this Act, upon a finding for which the Secretary shall make an administrative record, that any ammunition, the manufacture or importation of which would be prohibited under such regulation, serves no substantial sporting purpose and serves primarily to kill human beings. Before promulgating any such regulation, the Secretary shall--

- (1) consult with representatives of organizations representing the sporting use of firearms, which the Secretary shall select;
- (2) consult with appropriate representatives of Federal, State, county, and local law enforcement, which the Secretary shall select;
- (3) consult with appropriate representatives of the industry involved in the manufacture of ammunition and the

manufacture of articles of protective gear generally known as bulletproof vests, which the Secretary shall select; and

(4) consult with appropriate members of the ammunition and protective gear research community, which the Secretary shall select.

No regulation promulgated pursuant to this section shall take effect until ten days after the Secretary shall have caused it to be published in the Federal Register and caused it to be delivered to the Senate and the House of Representatives during which time the Congress may act to repudiate such regulation.

There are no more items to read.

Enter one or more numbers or ALL to display item(s),
Enter another display command and one or more numbers or ALL,
Enter MARK or SAVE and one or more numbers to limit or save your set,
Enter SMARTMATCH and a number to find comparable items,
Or enter BACK, HELP, or STOP
>

10TH STORY of Level 1 printed in FULL format.

Copyright 1996 The Courier-Journal
The Courier-Journal

February 6, 1996, Tuesday MET:METRO 7 STAR

SECTION: NEWS Pg.01A

LENGTH: 1227 words

HEADLINE: Bullet bill sponsor's ties to firm questioned
Ethics watchdog cites 'conflict'

BYLINE: MARK SCHAUER, Staff Writer

DATELINE: FRANKFORT, Ky.

BODY:

Rep. Mark Brown got the House of Representatives to pass a bill last week removing a reference to the Black Talon bullet from a 1994 law making it a felony to use it and similar hollow-point bullets in a crime.

What Brown did not explain, and what he said he did not know at the time, is that his bill would remove all penalties for illegal use of the bullet.

Brown, D-Brandenburg, also did not disclose another small fact: He works for the Olin Corp., a large chemical company that owns Winchester Ammunition, the manufacturer of the Black Talon bullet.

This is significant because the Kentucky Constitution says that if a legislator has "a personal or private interest" in a bill before the General Assembly, he should disclose that fact "and shall not vote thereon upon pain of expulsion."

Brown voted for the measure he sponsored, House Bill 225, which passed 89-1 and is now before the Senate.

"It's definitely a conflict," said Richard Beliles, the chairman of Common Cause of Kentucky, a non-profit organization that lobbies for more ethical government, after being told about Brown's vote. "I don't see how he cannot say that he has a personal interest."

Beliles said it was hard to see how the company wouldn't "look on him rather fondly after he did this."

Brown, however, said there is no conflict.

"I don't see the personal interest," Brown said. "Winchester is a separate division. I work for their chemicals division. . . . There's nothing personal at all about it. What benefit is it to me?"

Brown said he introduced the bill because Winchester was threatening to sue because the statute used the company's registered trademark, Black Talon, as a generic term for a type of bullet that is also made by others. The hollow-point bullet expands on impact into six blades.

The Courier-Journal, February 6, 1996

John Chiaramonte, the director of state government relations for the Olin Corp., said the company did ask Brown to sponsor the bill to remove its trademarked name from the law but did not want to do away with penalties for using the Black Talon and similar bullets in a crime.

He denied the company threatened to sue Kentucky.

"The only person working on that bill was me, and I assure you I would never make a threat like that to the executive branch or the legislative branch," Chiaramonte said.

Brown said last week that the attorney general's office told him his bill would not remove the penalties for people who use the bullet in a crime because it would still fall under the category of "armor-piercing ammunition," which would still be penalized under the law.

Jennifer Schaaf, a spokesman for the attorney general's office, said no one on the staff recalls telling him that, and she said the Black Talon is not an armor-piercing bullet.

She said the office sent Brown a letter yesterday apologizing for the "misunderstanding." It explained that the attorney general would work with him to rewrite the law so that it removes the trademark name while keeping the penalties against the bullet, she said.

Brown said he now accepts the attorney general's interpretation and will work to amend the bill in the Senate so it does not remove the penalties.

Brown introduced his bill to the House by saying that the Black Talon was "no longer available to the public."

But Rep. Tom Riner, D-Louisville, who was the only legislator to vote against the bill, said he knew that was not true because the bullet was still being sold at gun shows. Riner said similar bullets, which would also have the penalty against them removed, were also still being sold.

"It just didn't make sense to me," Riner said of Brown's explanation. "This is a good example of what can happen if you play follow the leader up there."

Riner said he learned about the Black Talon while buying ammunition to use when taking his son to hunt wild boar.

"We need to do everything we can to keep this kind of ammunition out of the hands of criminals," Riner said. "What we're doing here is decriminalizing the worst possible kind of round that can be used against law-abiding citizens."

But Detective Butch Winstel, the senior firearms instructor for the Louisville Police Department, said he had no problem with the Black Talon or similar bullets' being legal.

He said that because it is designed to expand on impact, the bullet cannot pierce a bullet-resistant vest and is not the threat to police officers that some have made it out to be.

The Courier-Journal, February 6, 1996

Although some have labeled it a "cop killer," Winstel said the Black Talon's fearsome reputation is more the result of marketing hype than any special capability.

- Patton offers doctors win-win deal. B1

THE BLACK TALON BULLET

The Black Talon is a hollow-point bullet that expands on impact into six sharp blades that have been described as looking like a star or a claw.

It was originally designed for law enforcement, which wanted a bullet that had maximum "stopping power" but wouldn't pass through a body and hit a bystander or another police officer.

Some emergency-room doctors have called for a ban on the bullet. They are afraid to remove it because the sharp edges can cut through rubber gloves and skin and expose them to hepatitis and the AIDS virus.

The Black Talon was the bullet used by Colin Ferguson when he killed six people on a Long Island commuter train in 1993. Gian Luigi Ferri, a deranged businessman, also used it to kill eight people in a San Francisco office tower that same year.

Horror stories about the bullet caused an uproar in Congress and led Winchester to stop selling it to the public in 1993. It continues to sell it to law enforcement.

GRAPHIC: Rep. Mark Brown "I don't see the personal interest"

LANGUAGE: English

LOAD-DATE: February 7, 1996

12TH STORY of Level 1 printed in FULL format.

Copyright 1995 The Chronicle Publishing Co.
The San Francisco Chronicle

AUGUST 5, 1995, SATURDAY, FINAL EDITION

SECTION: NEWS; Pg. A19; SACRAMENTO IN REVIEW

LENGTH: 756 words

HEADLINE: SACRAMENTO IN REVIEW

BODY:

Highlights of this week's legislative action at the Capitol.

THE GOVERNOR

* APPOINTMENTS

Aging -- Former Assemblyman Dixon Arnett of Sacramento as director of the Department of Aging.

Communications -- Kimberly R. Walsh of Sacramento as deputy director of communications in the governor's office.

Legal Affairs -- L. Michael Bogert of Sacramento as chief deputy legal affairs secretary in the governor's office.

Press -- Paul D. Kranhold of Sacramento as press secretary to the governor.

* BILLS SIGNED Ammunition -- Bans advertising of armor-piercing ammunition; AB99; Burton, D- San Francisco.

Beer -- Permits an incorporated beer manufacturer's trade association to conduct beer tasting events for public educational purposes not to exceed 100 members of the public; AB1166; McPherson, R-Santa Cruz.

Budget -- Spends \$ 57.5 billion for state government for 1995-96; AB903; Pringle, R-Garden Grove.

Community Colleges -- Expands investment options available to community college student body organizations; SB4; Russell, R-Glendale.

Crime -- Allows courts to impose temporary injunctions to block someone accused of a felony from spending money made by capitalizing on his or her notoriety; SB287; Calderon, D-Montebello.

English -- Requires all public higher education institutions to evaluate their teaching faculty for oral and written proficiency in English and to take steps to accomplish this proficiency; SB400; Haynes, R-Riverside.

LA Schools -- Makes it easier to put a measure on the ballot to break up the Los Angeles Unified School District; AB107; Boland, R-Granada Hills.

Mortgages -- Authorizes residential mortgage lenders to buy from or sell to institutional investors; SB186; Maddy, R-Fresno.

The San Francisco Chronicle, AUGUST 5, 1995

Schools -- Would settle a lawsuit filed by the California Teachers Association challenging 1992 and 1993 school loans; AB825; W. Brown, D-San Francisco.

Standards -- Declares that statewide academic standards should be adopted for public schools; AB1498; Baldwin, R-El Cajon.

Test -- Reinstates a prohibition that expired in January prohibiting school tests from asking students about sex, religion, family life or morality without prior written parental permission; AB56; Allen, R-Cypress.

Welfare -- Allows county welfare departments to notify law enforcement officers of the whereabouts of social service recipients for whom felony or misdemeanor arrest warrants have been issued; SB634; Kopp, I-San Francisco.

* BILLS VETOED

Ballot Measures -- Would lower the number of voter signatures needed to put city charter amendments on the ballot; SB61; Kopp, I-San Francisco.

Contractors -- Would provide that the failure to include certain information, including information regarding the contractor, in a home improvement contract would render unenforceable any security interest in real property taken by a contractor; SB432; Hughes, D-Los Angeles.

County -- Would authorize Los Angeles and Orange counties to shift sales taxes collected for transit projects to the county general funds; SB75; Polanco, D-Los Angeles.

THE ASSEMBLY

* BILLS PASSED

Movie -- Would allow a civil penalty to be levied against anyone demanding money from a movie production company in exchange for ceasing disruptive activity; SB1315; Rosenthal, D-Los Angeles; 57-0; to the Senate for action on Assembly amendments.

Term -- Would allow local governments to submit term limit proposals to voters; SB2; Kopp, I-San Francisco; 41-25; to the Senate for action on Assembly amendments.

THE SENATE

* BILLS PASSED

Adoptions -- Would increase penalties for adoption fraud; AB256; Alpert, D-Coronado; 40-0; to the Assembly for a vote on Senate amendments.

Pepper Spray -- Would generally deregulate the importation, sale, purchase and possession of tear gas weapons for private citizens; AB830; Speier, D-Burlingame; 40-0; to the Assembly for a vote on Senate amendments.

Sex Offenses -- Would allow specified evidence of another sexual offense to be introduced in a similar criminal action; AB882; Rogan, R-Glendale; 33-1; to

The San Francisco Chronicle, AUGUST 5, 1995

the Assembly for a vote on Senate amendments.

Snow -- Would specify the manner for disclosing to a buyer that a particular vehicle may not be operated with snow chains; AB28; Gallegos, D-El Monte; 21-11; to the Assembly for a vote on Senate amendments.

Teachers -- Would permit school districts to dismiss teachers for unsatisfactory performance rather than incompetence; AB729; Davis, D-San Diego; 35-0; to the governor.

LANGUAGE: ENGLISH

LOAD-DATE: August 5, 1995

4TH STORY of Level 1 printed in FULL format.

Copyright 1996 The Dallas Morning News
THE DALLAS MORNING NEWS

May 16, 1996, Thursday, HOME FINAL EDITION

SECTION: NEWS; Pg. 3A

LENGTH: 581 words

HEADLINE: Clinton awards funds for 9,000 officers

BYLINE: David Jackson, Washington Bureau of The Dallas Morning News

DATELINE: WASHINGTON

BODY:

WASHINGTON - President Clinton on Wednesday awarded grants for 9,000 new police officers in 2,500 cities nationwide, less than a week after challenger Bob Dole accused him of waging only a rhetorical war on crime.

Later, in a ceremony honoring the families of slain police officers, Mr. Clinton again called for banning "cop-killer" bullets. He also asked states to restrict parole laws so that violent convicts must serve at least 85 percent of their sentences.

"These are common--sense ideas, but they're more," Mr. Clinton said at the ceremony on the west lawn of the Capitol. "They're the least we can do for the brave men and women of American law enforcement."

During a campaign swing last weekend, Mr. Dole pledged to wage "a real war" on crime, adding, "We've all seen politicians who are tough on crime on the campaign trail but tolerant in office."

In a specific reference to Mr. Clinton, Mr. Dole said, "He claims he's putting 100,000 cops on the streets, but the real number is only a fraction of that."

During a telephone conference Wednesday with mayors nationwide, Mr. Clinton said that when the new grants take effect, the 20-month-old anti-crime bill will have delivered 43,000 new police officers. The president pledged to meet the goal of 100,000 new officers in five years.

The list included 148 cities in Texas receiving \$ 28.9 million in grants. That will result in 418 full-time positions and 20 part-time ones. Grant recipients include Dallas County, McKinney, Plano, Mesquite and Balch Springs.

In his speech to the National Peace Officers Memorial Day Service, Mr. Clinton also touted approval of the Brady Bill waiting period, a ban on assault weapons and "three-strikes-and-you're-out" legislation that requires life imprisonment for repeat offenders.

But Mr. Clinton added that "we have some more work to do up here," including a ban on "cop-killer bullets."

THE DALLAS MORNING NEWS, May 16, 1996

"If a bullet can go through a bullet-proof vest like a hot knife through butter, it should be against the law," Mr. Clinton said.

While voters in past elections have expressed more confidence in the Republicans' ability to handle crime, voters so far in 1996 have given the nod to Mr. Clinton, according to a variety of polls.

But Mr. Dole and other Republicans said the president has stolen many of their issues.

"I think President Clinton has talked a lot about issues that we have highlighted and focused on," said Sen. Kay Bailey Hutchison, R-Texas. "But he has not followed up with actions."

Republicans questioned whether the grant program will result in a net gain of 100,000 officers, because cities will have to pick up the costs of these new employees once the federal money runs out.

Tom Wyld, a spokesman for the National Rifle Association, said the dangers of "cop-killer bullets" are exaggerated, and that a ban could be expanded to include legitimate hunting ammunition. Mr. Wyld said the administration's gun-control efforts obscure the real issue.

"The real problem out there is people with criminal histories," Mr. Wyld said.

In recent speeches, Mr. Dole has criticized the administration for appointing "liberal judges" and cutting back on drug interdictions and prosecutions.

A Justice Department official said Mr. Dole is "shooting blanks," trying to recover an issue where the Republicans have lost their long-term advantage.

"We've been interested in crime for three years," the official said. "He's discovered it in the last three weeks."

GRAPHIC: PHOTO(S): (Associated Press) President Clinton joins police officers Wednesday after addressing the National Peace Officers Memorial Day Service.

LANGUAGE: ENGLISH

LOAD-DATE: May 30, 1996

8TH STORY of Level 1 printed in FULL format.

Copyright 1996 St. Louis Post-Dispatch, Inc.
St. Louis Post-Dispatch

May 16, 1996, Thursday, FIVE STAR LIFT Edition

SECTION: NEWS; Pg. 1B

LENGTH: 356 words

HEADLINE: CITY TO GET \$ 1.8 MILLION TO HIRE POLICE

SOURCE: This story contains material from Post-Dispatch wire services.

BODY:

President Bill Clinton told Mayor Freeman Bosley Jr. on Wednesday that the city would get \$ 1.8 million in federal funds to hire 24 police officers.

Bosley was one of a dozen mayors taking part in a conference phone call with Clinton. In all, Clinton announced \$ 604 million in grants for hiring 8,646 full-time and 472 part-time officers in more than 2,500 locations.

The grant is part of the federal Community Oriented Policing Services program.

Clinton attributed an 8 percent drop in homicide and a drop in serious crime across the country to the program.

"The COPS program is helping decrease crime as well as catching criminals," Clinton said.

Bosley said the grant would help the city to deter crime.

"This grant will allow us to build on our success and put additional police on the street working directly with residents to solve the crime problems in our neighborhoods and communities," Bosley said.

The city has about 1,600 city police officers.

St. Louis Police Chief Ronald Henderson said that more officers will mean less crime in areas of the city most plagued with violence.

"The citizens of St. Louis have clearly expressed their concerns about the number of police officers they see in the community," Henderson said. "This new COPS initiative will directly aid our efforts to address this concern."

Clinton said in Washington: "Today we are providing more law enforcement dollars to more communities than on any other single day in the history of this country."

He made the announcement before honoring fallen police officers as American heroes and challenging Congress to outlaw so-called "cop-killer bullets" during a speech in front of the Capitol.

"We need a simple test and a straightforward ban," Clinton said. "If a bullet can go through a bulletproof vest like a hot knife through butter, it should

St. Louis Post-Dispatch, May 16, 1996

be against the law."

California got the largest grant, \$ 102 million for 1,360 new officers. Of that, \$ 53 million will go to Los Angeles to hire 710 officers.

New Jersey got \$ 37.6 million for 503 new officers, and Florida was awarded \$ 34.1 million for 467 officers.

LANGUAGE: English

LOAD-DATE: May 16, 1996

45TH STORY of Level 1 printed in FULL format.

Copyright 1995 The Times Mirror Company
Los Angeles Times

July 7, 1995, Friday, Home Edition

SECTION: Metro; Part B; Page 8; Metro Desk

LENGTH: 258 words

HEADLINE: CRIME WATCH;
HIGH-TECH KILLERS

BODY:

Last year, an Alabama arms manufacturer caused a furor by claiming it had developed handgun ammunition capable of penetrating bulletproof vests such as those worn by law enforcement officers. As it turned out, the bullet, marketed as the Black Rhino, never made it to gun stores.

Nevertheless, the controversy -- which some dismissed as nothing more than a sorry publicity stunt -- uncovered a gaping loophole in a federal law designed to protect police from armor-piercing, or "cop-killer," bullets.

A law passed by Congress and signed by President Ronald Reagan in 1986 prohibits the sale and manufacture of ammunition using specific materials such as tungsten or Teflon. However, it failed to anticipate other high-technology materials such as the polymers in the Black Rhino cartridges.

It was that loophole that President Clinton, speaking in a crime-scarred Chicago neighborhood last week, rightly insisted should be slammed shut under an Administration proposal to subject bullets to performance-based testing standards. "I have never seen a deer, a duck, or a wild turkey," said the President " . . . wearing a Kevlar vest in my life." Indeed, "cop-killer" bullets serve no use in sport or for legitimate personal defense.

As Clinton touts his record in fighting gun extremists, it's true that presidential politics are creeping into the debate. But how can this be a partisan issue? Who but a criminal could defend "cop-killer" bullets? For officers on the street, it's not a matter of politics; it's a matter of life and death.

LANGUAGE: ENGLISH

LOAD-DATE: July 8, 1995

47TH STORY of Level 1 printed in FULL format.

Copyright 1995 St. Louis Post-Dispatch, Inc.
St. Louis Post-Dispatch

July 5, 1995, Wednesday, FIVE STAR LIFT Edition

SECTION: EDITORIAL; Pg. 6B

LENGTH: 350 words

HEADLINE: TURKEYS DON'T WEAR KEVLAR VESTS

BODY:

Who could possibly favor something as deadly sounding as "cop-killer bullets"? How about a majority of the members of the House Judiciary Committee? A flip-flop by the committee as it worked on the anti-terrorism bill shows that the National Rifle Association is alive and powerful in Washington, but common sense is in short supply.

On June 14, the committee voted 16-14 to approve a measure from Rep. Charles Schumer, a Brooklyn Democrat, to ban any bullets able to pierce armor or bullet-proof vests. Congress had already banned such cop-killer bullets in 1986, but new versions that got around that law by using plastic instead of metal have begun to surface. The Schumer amendment would have strengthened the ability of police to combat such destructive firepower.

President Bill Clinton called for a similar ban in an appearance in Chicago last Friday. Trying to mollify hunters who might criticize his view, he said he had never yet seen a turkey wearing a Kevlar vest.

But the day after the original approval of the Schumer measure, two Republicans - Michael Flanagan of Illinois and Fred Heineman of North Carolina, a former policeman - changed their votes. Instead of banning the bullets, the committee's new plan was to study the issue. That route is usually as deadly to legislation as an armor-piercing bullet could be to a police officer. A common complaint about the earlier version was that Mr. Schumer dared to suggest that Attorney General Janet Reno - the archenemy of the NRA and all loyal gun-loving Americans - have a role in deciding which ammunition would be affected by the ban.

So in the name of fighting terrorism, the majority of the House Judiciary Committee wants to allow the sale of bullets that would render police officers' protection all but useless. Legislators like to insist that they are acting on their own, not at the behest of the NRA. In this case, you'd think they would want someone to blame for looking like such enemies of law-enforcement officers. The only people who need cop-killer bullets are people who want to kill cops.

LANGUAGE: English

LOAD-DATE: July 6, 1995

50TH STORY of Level 1 printed in FULL format.

Copyright 1995 Newspaper Publishing PLC
The Independent

July 3, 1995, Monday

SECTION: INTERNATIONAL; Page 10

LENGTH: 451 words

HEADLINE: Clinton aims to trump the right's crime crusade

BYLINE: JOHN CARLIN

BODY:

JOHN CARLIN

Washington

America's next presidential election lies 16 months ahead, but from the way Bill Clinton is carrying on you could be forgiven for thinking that his battle for political survival is no less urgent than John Major's.

The President returned home to Washington at the weekend after a 10-day speech-making excursion through seven states where he raised \$ 3m (pounds 2m) in campaign money. Last week he spent \$ 2.4m on television commercials plugging the startling - but not unconvincing - message that his conservative opponents are soft on crime.

Never in US history has a White House incumbent begun a re-election campaign so early. Never in 30 years has a Democrat sought to wrest ownership of the law-and-order issue from the Republicans.

These are strange days in Washington. The Republicans, who not long ago were accusing the Democrats of favouring "criminals' rights", have found the boot is on the other foot. George Bush's most effective campaign tactic against Michael Dukakis in 1988 was a commercial about Willie Horton, a criminal who was released by Mr Dukakis when he was governor of Massachusetts and went on to commit a murder. Today Mr Clinton could use Timothy McVeigh, the man charged with the Oklahoma City bombing, to similar effect.

Mr McVeigh is a gun nut, a species which the Republicans in Congress, zealous to win favour with the powerful National Rifle Association (NRA), are seeking to please.

Senator Bob Dole, Mr Clinton's likely Republican opponent next year, wants to repeal a law banning the sale of assault weapons. Mr Clinton has reminded voters in his television spots that it was he, repelled by the notion that you could buy an Uzi sub-machine gun along with your cornflakes at the supermarket, who introduced the law last year.

In Chicago on Friday Mr Clinton, flanked by uniformed police officers, proposed a ban on "cop-killer" bullets. "If a bullet can rip through a bullet-proof vest like a knife through hot butter, then it ought to be history."

The Independent, July 3, 1995

Republicans, urged on by an angry NRA, are conspiring to stop Mr Clinton's plans. But the President has the police on his side. "This is the bill we've been waiting for," said Dewey Stokes, president of the Fraternal Order of Police. Mr Clinton has also won police support for a plan to increase the number of officers nationwide by 100,000.

Why is Mr Clinton campaigning so early? There are two reasons: the Republican presidential contenders, Mr Dole most notably, have been at the hustings since the beginning of the year; and Mr Clinton is, by common consent, a better campaigner than leader. The President is playing to his strengths.

LANGUAGE: ENGLISH

LOAD-DATE: July 03, 1995

51ST STORY of Level 1 printed in FULL format.

Copyright 1995 McClatchy Newspapers, Inc.
Sacramento Bee

July 3, 1995, METRO FINAL

SECTION: EDITORIALS; Pg. B6

LENGTH: 1094 words

HEADLINE: THE PARTY OF LAW AND ORDER

BYLINE: Frank Rich

BODY:

THE REPUBLICAN Party has owned law and order as a campaign issue since Richard Nixon and Spiro Agnew seized it in 1968 -- just a few years before they went on a crime spree of their own. But the GOP's unbroken run as top cop may finally be coming to an end.

"It's utterly amazing and confounding," says Charles Schumer, the Democratic congressman from Brooklyn whom the National Rifle Association loves to hate, as he describes the parties' role reversal.

Republicans who once ritualistically attacked Democrats for favoring "criminals' rights" now endorse policies that make life easier for violent criminals and harder for local police and their federal counterparts.

Not only are GOP leaders soon to renew their push for repeal of the assault-weapons ban, but they have vowed to roll back the Clinton plan to underwrite 100,000 new local police officers.

GOP members of Congress conspired this month as well to kill a Schumer amendment outlawing all cop-killer bullets -- those that can penetrate bullet-proof vests. Criminals who don't have such bullets, meanwhile, can turn to another GOP icon, G. Gordon Liddy, for advice on how to shoot intrusive law officers in the groin or head.

What gives? Why would the party that has for so long made a fetish of running for sheriff suddenly be in favor of scuttling crime-prevention measures endorsed by law-enforcement organizations? The answer is not so much confounding as bizarre.

The GOP that once accused the Democrats of being soft on crime because they embraced an anti-establishment counterculture is now soft on crime itself because it's coddling a new, gun-crazy counterculture of its own.

Though many comparisons between '60s and '90s anti-government radicals are facile, one parallel is undeniable: As the far-left fringe of the '60s wanted to "off the pigs" when it perceived the police as intruding upon its civil liberties, so the far-right fringe of the '90s wants to do the same with similar justification (though the pigs are now called "jack-booted government thugs").

And like the Democrats before them, maybe more so, the Republicans, fearful of losing a constituency, will do anything to pander to those voters who would undermine law and order -- even to the point of embracing their

Sacramento Bee, July 3, 1995

counterculture.

Nowhere is this more apparent than in the House leadership's refusal to balance its July hearings on Waco with hearings on the militias. The Waco hearings will not resolve the legitimate debate about Attorney General Janet Reno's tragic showdown with the Branch Davidians but they will air and inflame the new counterculture's hatred of the law -- the very hatred that seems to have fueled the Oklahoma City bombing on Waco's second anniversary.

So why not at least follow a congressional trashing of law-enforcers with a hearing investigating potential lawbreakers, especially since militias are widely reported to be growing since the bombing? Schumer, whose call for militia hearings has been rebuffed, says that "Newt Gingrich doesn't even have a rational explanation as to why not."

The irrational answer is obvious: The gun counterculture and its NRA patrons vote Republican. This is also why the speaker created a gun task force including such representatives as Helen Chenoweth and Steve Stockman, both of whom have echoed the militias and the extreme gun lobby in demonizing law enforcement agencies.

Putting this pair on a gun task force is the 1995 equivalent of, say, President George McGovern appointing Stokely Carmichael and Abbie Hoffman to top jobs at the FBI.

THE OTHER DAY, when President Clinton started his '96 campaign early with law-and-order commercials, the Beltway consensus had it that he was, in advertising lingo, "inoculating" himself against future Republican charges that he's soft on crime.

But isn't it the Republicans who really need the inoculation? As GOP leaders keep pandering to the new counterculture, they play with fire, emboldening other gun nuts who might engage in violence against the government, abortion clinics or targets as yet unknown.

If a frightening new law-and-order campaign poster boy emerges in '96, chances are he'll be on the Democrats' posters, not the Republicans' -- and that he'll look a lot less like Willie Horton than like Timothy McVeigh.

LANGUAGE: ENGLISH

LOAD-DATE: July 4, 1995

52ND STORY of Level 1 printed in FULL format.

Copyright 1995 Phoenix Newspapers, Inc.
THE ARIZONA REPUBLIC

July 2, 1995 Sunday, Final Chaser

SECTION: EDITORIAL/OPINION; Pg. E5

LENGTH: 723 words

HEADLINE: GOP ANTI-CRIME STAND HAS HOLLOW-POINT RING

BYLINE: By Frank Rich

BODY:

The Republican party has owned law and order as a campaign issue since Richard Nixon and Spiro Agnew seized it in 1968, just a few years before they went on a crime spree of their own. But the GOP's unbroken run as top cop finally may be coming to an end.

"It's utterly amazing and confounding," Rep. Charles Schumer, D-N.Y., whom the National Rifle Association loves to hate, says as he describes the parties' role reversal.

Republicans who once ritualistically attacked Democrats for favoring "criminals' rights" now endorse policies that make life easier for violent criminals and harder for local police and their federal counterparts.

Not only are GOP leaders soon to renew their push for repeal of the assault-weapons ban, but they have vowed to roll back the Clinton plan to underwrite the hiring of 100,000 new local police officers.

GOP congressmen conspired this month as well to kill a Schumer amendment outlawing all cop-killer bullets, those that can penetrate bullet-proof vests. Criminals who don't have such bullets, meanwhile, can turn to another GOP icon, G. Gordon Liddy, for advice on how to shoot intrusive law officers in the groin or head.

What gives? Why would the party that has for so long made a fetish of running for sheriff suddenly be in favor of scuttling crime-prevention measures endorsed by law-enforcement organizations? The answer is not so much confounding as bizarre.

The GOP that once accused the Democrats of being soft on crime because they embraced an anti-establishment counterculture is now soft on crime itself because it's coddling a new, gun-crazy counterculture of its own.

Though many comparisons between 1960s and '90s anti-government radicals are facile, one parallel is undeniable: As the far-left fringe of the '60s wanted to "off the pigs" when it perceived the police as intruding upon its civil liberties, so the far-right fringe of the '90s wants to do the same with similar justification, though the "pigs" now are called "jack-booted government thugs."

And like the Democrats before them, maybe more so, the Republicans, fearful of losing a constituency, will do anything to pander to those voters who would undermine law and order, even to the point of embracing their counterculture.

THE ARIZONA REPUBLIC, July 2, 1995

Nowhere is this more apparent than in the House leadership's refusal to balance its July hearings on the Branch Davidian fiasco with hearings on the militias. The Branch Davidian hearings will not resolve the legitimate debate about Janet Reno's tragic showdown with the religious cult near Waco, Texas, but they will air and inflame the new counterculture's hatred of the law, the very hatred that seems to have fueled the Oklahoma City bombing on Waco's second anniversary.

So why not at least follow a congressional trashing of law-enforcers with a hearing investigating potential lawbreakers, especially since militias are widely reported to be growing since the bombing? Schumer, whose call for militia hearings has been rebuffed, says, "Newt Gingrich doesn't even have a rational explanation as to why not."

The irrational answer is obvious: the gun counterculture and its NRA patrons vote Republican. This is also why the speaker created a gun task force including such representatives as Helen Chenoweth and Steve Stockman, both of whom have echoed the militias and the extreme gun lobby in demonizing law-enforcement agencies.

Putting this pair on a gun task force is the 1995 equivalent of, say, "President" George McGovern appointing Stokely Carmichael and Abbie Hoffman to top jobs at the FBI.

Last week, when President Clinton started his '96 campaign early with law-and-order commercials, the Beltway consensus had it that he was, in advertising lingo, "inoculating" himself against future Republican charges that he's soft on crime.

But isn't it the Republicans who really need the inoculation? As GOP leaders keep pandering to the new counterculture, they play with fire, emboldening other gun nuts who might engage in violence against the government, abortion clinics or targets as yet unknown.

If a frightening new law-and-order campaign poster boy emerges in '96, chances are he'll be on the Democrats' posters, not the Republicans', and that he'll look a lot less like Willie Horton than like Timothy McVeigh.

LANGUAGE: ENGLISH

LOAD-DATE: July 4, 1995

****-----****

* 25 PAGES 729 LINES JOB 88884 100Y5T *
* 3:35 P.M. STARTED 3:40 P.M. ENDED 07/17/96 *

****-----****

****-----****

*	EEEEEE	N	N	DDDD	*
*	E	N	N	D D	*
*	E	NN	N	D D	*
*	EEE	N N N		D D	*
*	E	N NN		D D	*
*	E	N N		D D	*
*	EEEEEE	N	N	DDDD	*

****-----****

****-----****

SEND TO: SMITH, SIGRID
EOP-LIBRARY
ROOM 308 OEOB
17TH & PENNSYLVANIA,NW
WASHINGTON, DISTRICT OF COLUMBIA 20502

17TH STORY of Level 1 printed in FULL format.

Copyright 1996 The Courier-Journal
The Courier-Journal

February 6, 1996, Tuesday MET:METRO 7 STAR

SECTION: NEWS Pg.01A

LENGTH: 1227 words

HEADLINE: Bullet bill sponsor's ties to firm questioned
Ethics watchdog cites 'conflict'

BYLINE: MARK SCHAUER, Staff Writer

DATELINE: FRANKFORT, Ky.

BODY:

Rep. Mark Brown got the House of Representatives to pass a bill last week removing a reference to the Black Talon bullet from a 1994 law making it a felony to use it and similar hollow-point bullets in a crime.

What Brown did not explain, and what he said he did not know at the time, is that his bill would remove all penalties for illegal use of the bullet.

Brown, D-Brandenburg, also did not disclose another small fact: He works for the Olin Corp., a large chemical company that owns Winchester Ammunition, the manufacturer of the Black Talon bullet.

This is significant because the Kentucky Constitution says that if a legislator has "a personal or private interest" in a bill before the General Assembly, he should disclose that fact "and shall not vote thereon upon pain of expulsion."

Brown voted for the measure he sponsored, House Bill 225, which passed 89-1 and is now before the Senate.

"It's definitely a conflict," said Richard Beliles, the chairman of Common Cause of Kentucky, a non-profit organization that lobbies for more ethical government, after being told about Brown's vote. "I don't see how he cannot say that he has a personal interest."

Beliles said it was hard to see how the company wouldn't "look on him rather fondly after he did this."

Brown, however, said there is no conflict.

"I don't see the personal interest," Brown said. "Winchester is a separate division. I work for their chemicals division. . . . There's nothing personal at all about it. What benefit is it to me?"

Brown said he introduced the bill because Winchester was threatening to sue because the statute used the company's registered trademark, Black Talon, as a generic term for a type of bullet that is also made by others. The hollow-point bullet expands on impact into six blades.

The Courier-Journal, February 6, 1996

John Chiaramonte, the director of state government relations for the Olin Corp., said the company did ask Brown to sponsor the bill to remove its trademarked name from the law but did not want to do away with penalties for using the Black Talon and similar bullets in a crime.

He denied the company threatened to sue Kentucky.

"The only person working on that bill was me, and I assure you I would never make a threat like that to the executive branch or the legislative branch," Chiaramonte said.

Brown said last week that the attorney general's office told him his bill would not remove the penalties for people who use the bullet in a crime because it would still fall under the category of "armor-piercing ammunition," which would still be penalized under the law.

Jennifer Schaaaf, a spokesman for the attorney general's office, said no one on the staff recalls telling him that, and she said the Black Talon is not an armor-piercing bullet.

She said the office sent Brown a letter yesterday apologizing for the "misunderstanding." It explained that the attorney general would work with him to rewrite the law so that it removes the trademark name while keeping the penalties against the bullet, she said.

Brown said he now accepts the attorney general's interpretation and will work to amend the bill in the Senate so it does not remove the penalties.

Brown introduced his bill to the House by saying that the Black Talon was "no longer available to the public."

But Rep. Tom Riner, D-Louisville, who was the only legislator to vote against the bill, said he knew that was not true because the bullet was still being sold at gun shows. Riner said similar bullets, which would also have the penalty against them removed, were also still being sold.

"It just didn't make sense to me," Riner said of Brown's explanation. "This is a good example of what can happen if you play follow the leader up there."

Riner said he learned about the Black Talon while buying ammunition to use when taking his son to hunt wild boar.

"We need to do everything we can to keep this kind of ammunition out of the hands of criminals," Riner said. "What we're doing here is decriminalizing the worst possible kind of round that can be used against law-abiding citizens."

But Detective Butch Winstel, the senior firearms instructor for the Louisville Police Department, said he had no problem with the Black Talon or similar bullets' being legal.

He said that because it is designed to expand on impact, the bullet cannot pierce a bullet-resistant vest and is not the threat to police officers that some have made it out to be.

The Courier-Journal, February 6, 1996

Although some have labeled it a "cop killer," Winstel said the Black Talon's fearsome reputation is more the result of marketing hype than any special capability.

- Patton offers doctors win-win deal. B1

THE BLACK TALON BULLET

The Black Talon is a hollow-point bullet that expands on impact into six sharp blades that have been described as looking like a star or a claw.

It was originally designed for law enforcement, which wanted a bullet that had maximum "stopping power" but wouldn't pass through a body and hit a bystander or another police officer.

Some emergency-room doctors have called for a ban on the bullet. They are afraid to remove it because the sharp edges can cut through rubber gloves and skin and expose them to hepatitis and the AIDS virus.

The Black Talon was the bullet used by Colin Ferguson when he killed six people on a Long Island commuter train in 1993. Gian Luigi Ferri, a deranged businessman, also used it to kill eight people in a San Francisco office tower that same year.

Horror stories about the bullet caused an uproar in Congress and led Winchester to stop selling it to the public in 1993. It continues to sell it to law enforcement.

GRAPHIC: Rep. Mark Brown "I don't see the personal interest"

LANGUAGE: English

LOAD-DATE: February 7, 1996

Date: 05/15/96 Time: 18:05
CClinton Calls for Ban on Cop-Killer Bullets

WASHINGTON (AP) Looking to march past Bob Dole on the crime issue, President Clinton memorialized slain police officers Wednesday as ``America's heroes'' and urged Congress to ban ``cop-killer'' bullets so officers can feel safer.

Clinton told a crowd of about 5,000 at a memorial service on the steps of the Capitol that the 161 officers killed in the line of duty last year were heroic public servants ``who died for law, for order, for justice and for peace.''

``They were America's heroes,'' Clinton said. To their families, ``I say thank you from a grateful nation.''

As Clinton spoke, and as singer Mariah Carey performed her hit song ``Hero,'' a few family members wept openly while others dabbed at tears hidden behind sunglasses worn in spite of overcast skies. Clinton placed a flower in a memorial wreath, then shook hands with family members, hugging some of them.

It was the type of poignant imagery the president could use in his ongoing fight with Dole, the likely Republican nominee, over who is tougher on crime.

In recent days, Dole has criticized Clinton's crime policies as soft, said the judges Clinton appointed are too liberal and questioned a Clinton-appointed prosecutor's actions in an Arizona child porn case.

Clinton said his policies have caused a three-year drop in violent crime. He called for keeping repeat violent criminals in prison for 85 percent of their sentences, saying police ``should not have to risk their lives and then stand like doormen at a revolving door of a penitentiary.''

``Police risk everything. What do we owe them for it?'' Clinton said. ``They should always know the fight against crime is a national commitment. That is what I have tried to bring to this country.''

He asked Congress to approve a ban on ``cop-killer'' bullets that can pierce bulletproof vests and other protective gear.

``If a bullet can go through a bulletproof vest like a hot knife through butter, it should be against the law,'' Clinton said. ``We don't need a commission to study it.''

The memorial service, staged by the Fraternal Order of Police, came during a week in which Clinton has focused on law enforcement. Earlier Wednesday, he announced \$604 million in grants for hiring 8,646 full-time and 472 part-time officers in more than 2,500 locations.

He announced the extra money in a conference call with a dozen mayors, including four from the politically key states of California, Florida and New Jersey.

Monday, he announced efforts to crack down on street gangs and tighten penalties for juvenile crime. Also, he has voiced support for the death penalty and his campaign has issued ads that promote Clinton's support for the Brady Bill handgun control law and a ban on assault weapons.

The grants were issued under the Community Oriented Policing Services program, or COPS, created under the Clinton-pushed crime bill approved by Congress two years ago. That legislation called for hiring 100,000 new police officers by the year 2000. So far, 43,000 officers or about 40 percent, have been hired.

California received the largest grant, \$102 million for 1,360 new officers. Of that, \$53 million will go to Los Angeles to hire 710 officers.

New Jersey received \$37.6 million for 503 new officers, and

Florida was awarded \$34.1 million for 467 officers.
APNP-05-15-96 1807EST

The following letter was received by a U.S. Senator from Under Secretary Ronald K. Noble, U.S. Treasury.

+ = + = + = + = + = +

UNDER SECRETARY

DEPARTMENT OF THE TREASURY
WASHINGTON, D.C.

September 21, 1995

The Honorable XXXXXXXXXXXX
United States Senate
Washington, D.C.

Dear Senator XXXXXXXXXXXX:

It has come to my attention that a misleading series of form letters has been sent to Members of Congress concerning this Administration's policy with regard to firearms and ammunition. These letters state that the President plans to give the Secretary of the Treasury power to ban ammunition. This allegation grossly distorts the Administration's commitment to ensure the safety of police officers by restricting the manufacture of armor-piercing bullets. Moreover, these letters use inflammatory and misleading rhetoric to generate support for repealing the Assault Weapons Ban and the Brady Law, which are widely supported by the American public and are in the interest of law enforcement.

The Administration proposes to conduct a study of that small percentage of ammunition designed to penetrate bullet-proof vests--cop-killer bullets--which remains legal because it lacks specific physical components. Organizations representing the sporting use of firearms, among others, would be consulted during the proposed study. The present composition-based standard for ammunition should be complemented with a performance-based standard that will better ensure the safety of the men and women who protect us from crime each day. Now especially, with the recent calls for armed defiance of law enforcement, we must guarantee that officers may do their duty with a reasonable measure of physical security. Ammunition designed to kill cops, not for sport, does not belong on our streets.

Unfortunately, some industrious interest groups care more about blocking and overturning modest, well-regarded firearms and ammunition regulations than preserving the safety of law enforcement officers. I hope you will join us as we continue our efforts to support law enforcement and promote the safety of police officers and law-abiding Americans.

Sincerely,

(signed)

= + = + = + = + = +

This information is provided as a service of the National Rifle Association Institute for Legislative Action, Fairfax, VA.

This and other information on the Second Amendment and the NRA is

available at any of the following URL's: <http://WWW.NRA.Org>,
<gopher://GOPHER.NRA.Org>, <wais://WAIS.NRA.Org>, <ftp://FTP.NRA.Org>,
<mailto:LISTPROC@NRA.Org> (Send the word help as the body of a
message)

Information may also be obtained by connecting directly to the
NRA-ILA GUN-TALK Bulletin Board System at (703) 934-2121.

CLINTON ATTEMPTING TO BAN GUNS BY BANNING BULLETS

On June 30, 1995, President Bill Clinton made the following statements while receiving the Abraham Lincoln Courage Award at 15th District Police Headquarters in Chicago, Illinois.

Referring to the recent, fatal shooting of Chicago police officer Daniel Doffyn, Clinton said "[A]s we remember Officer Doffyn, I say there is at least one more thing we must do. Today I am announcing support for legislation that will ban armor-piercing bullets of all kinds. . . .

"[W]e do ban some kinds of armor-piercing bullets. . . but . . . the law is written . . . in the wrong way. . . based on what it's made of. . . (that's) not good enough because clever people have figured out how to design ammunition made from common materials that do just as much damage. . . . "This legislation will change that. It will see to it that we judge ammunition not based on what it's made of, but based on how much harm it can do. That should be the test, and the test should be simple and straightforward. If a bullet can rip through a bulletproof vest like a knife through hot butter, then it ought to be history. We should ban it. . . . (I ask you to help me) "oppose their (NRA's) efforts to keep us from getting all these horrible police-killing bullets out of our lives. . . . "

POINTS TO REMEMBER

* Clinton's notion that the current "armor-piercing ammunition" law, enacted in 1986 and added to in 1994, is too weak because "clever people" have designed new ammunition with additional armor piercing abilities, is sheer nonsense, as definitively demonstrated by the recent, nationally-broadcast expose of the "Black Rhino" hoax swallowed hook-line-and-sinker by anti-gun politicians and their allies in the media. Indeed, Officer Daniel Doffyn, whose death Clinton is shamelessly trying to use for his own political purposes, was not killed because a bullet penetrated his protective vest. According to a Chicago Police Department spokesman, one of the bullets that killed Officer Doffyn struck him in the head, while a second bullet entered an opening in his vest -- it didn't defeat the material of the vest.

* President Clinton is attempting to resurrect an approach to banning ammunition that the Congress considered and rejected in the mid-1980s when it enacted the first "armor piercing ammunition" law. The previously-rejected approach proposed today by the president, would ban virtually all commonly used rifle ammunition, and a great deal of handgun ammunition, commonly used by law-abiding hunters and target shooters, and by people who own firearms for self-defense against criminals.

In 1986, Congress adopted the approach that Clinton now criticizes, an approach that the original sponsor of the "armor piercing" ammunition legislation, Rep. Mario Biaggi, a highly decorated police officer who had been wounded in the line of duty, said "was no compromise on the part of police safety." * Clinton's approach would ban virtually all rifle ammunition used for hunting, target shooting, or self-protection in the United States, such as .30-30 Winchester, .30-'06 Springfield, .308 Winchester, .300 Savage, 7mm Remington, .270 Winchester, .257 Roberts, .243 Winchester and .223 Remington, to name just a few.

* Clinton's approach would ban most handgun ammunition, including that which is used for hunting, target shooting and self-protection, such

as .45 Colt and Auto Colt, .44 Remington, .44 Smith and Wesson Special, .41 Remington, .357 Smith and Wesson, 9mm Luger, and many .38 Special loads, to name just a few.

* About the only ammunition that would not be banned is .22 Rimfire ammunition, several outdated rifle cartridges, such as .25-20 Winchester and .32-20 Winchester, and several lower-powered handgun cartridges, such as .25 and .32 caliber (which anti-gun activists have for years claimed, albeit incorrectly, that criminals favor.)

* The real problem is the criminal. During the last ten years, 73% of those involved in officer killings had prior criminal arrests, 56% had been convicted of criminal offenses, and 23% were actually on parole or probation when the officers were killed. (Source: FBI, "Law Enforcement Officer Killed and Assaulted, 1993")

* The problem is not bullets that defeat the protective material of body armor vests. During the last ten years, 70% of the police officers who have been fatally shot were not even wearing their protective vests, according to the FBI. In fact, less than 2% of the officers feloniously killed in the line of duty during the last ten years were killed because a bullet penetrated their protective vests. A police officer is 30 times more likely to die in a motor vehicle accident than be killed because of a bullet penetrating his or her vest. (Source: FBI, "Law Enforcement Officer Killed and Assaulted, 1993")

The Nat'l Institute of Justice has found that "many (officers) who possess body armor do not use it routinely." ("Selection and Application Guide to Police Body Armor, 1989)

NRA-ILA Research and Information Division, July 7, 1995

History of Federal Ammunition Law Restricting Projectiles Based Upon Construction

In 1966, Lorain County, Ohio, coroner Dr. Paul Kopsch, Lorain Police Sgt. Daniel Turcus, Jr., and Dr. Kopsch's special investigator, Donald Ward, began designing special-purpose handgun ammunition for law enforcement agencies' use. The objective was to provide police with handgun ammunition capable of penetrating hard materials, such as automobile doors, cinder blocks and walls. Previous efforts by major manufacturers at producing ammunition of this general type had been only marginally successful.

Most projectiles, constructed primarily of lead, a comparatively soft metal, cannot consistently penetrate hard materials when fired at handgun ammunition velocities. In the 1970s, Kopsch, Turcus and Ward began producing their "KTW" line of handgun ammunition, featuring projectiles manufactured with case-hardened steel cores capable of significant penetration, even when fired at handgun ammunition velocities. In 1981, after experimenting with various metals and alloys, they began manufacturing their projectiles using brass as the primary element.

To prevent damage to firearm barrels caused by firing hard metal projectiles through them, KTW projectiles were coated with Teflon. Many in the media, however, incorrectly claimed that Teflon also lubricated the point of impact and significantly increased the ability of the projectiles to defeat soft body armor (often called "bullet proof vests") worn by many police officers and other individuals.

Government tests proved otherwise. The Justice Department determined that Teflon had "little or no effect on the penetrating qualities of the projectile" when fired at soft body armor, while the U.S. Treasury Department concluded that Teflon was "little more than a cosmetic additive" to the ammunition.

In January 1982, NBC TV transformed KTW ammunition into a political issue, by running a sensational, nationwide, prime-time television spectacle titled "Cop Killer Bullets." The title of the piece was as preposterous its message. KTW ammunition had never been offered for sale to the general public; it was originally intended for, and was marketed to, law enforcement and the armed forces. Additionally, no police officer had been killed with KTW or similar projectiles, a record intact to the present.

Law enforcement officials pled with NBC to discontinue its sensational reports on KTW, lest criminals learn of the virtually unknown ammunition. Placing its ratings and profits ahead of the lives of law enforcement officers, NBC not only refused to drop its coverage, but rebroadcast "Cop Killer Bullets" six months later. Not to be undone, the print media soon joined in the hype.

Publicity-hungry anti-gun members of Congress soon recognized that NBC's "Cop Killer Bullet" term was the most exciting buzzword since "Saturday Night Special." Rep. Mario Biaggi (D-N.Y.) introduced "a bill to stop the proliferation of 'cop-killer' bullets." Biaggi's bill proposed a performance based prohibition, which would have outlawed any bullet that, when fired from a 5" barrelled handgun, would be capable of penetrating the equivalent of 18 layers of Kevlar, the tradename of a fiber used in the construction of soft body armor.

Technical experts of the FBI, BATF, Secret Service and police forensic labs throughout the country warned that a performance based ban would be impractical and unenforceable. The National Rifle

association (NRA) warned additionally that it would have affected more than 85% of commonplace, conventional hunting and target shooting rifle ammunition, in addition to the specialty handgun rounds that were the intended targets of the bill. NRA joined many in law enforcement in opposition to the bill.

Federal and local law enforcement experts could not think of an acceptable approach to restricting the ammunition, but with input from the NRA, the original performance-based concept was discarded for one based upon the design and construction of the projectiles themselves. In 1986, after a four-year battle, Congress approved H.R. 3121, which prohibited the sale, other than to law enforcement and the armed forces, of ammunition manufactured with "a projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium," other than shotgun shot required by federal regulations for hunting and other specifically-described projectiles. Upon that bill's passage, the original sponsor, Rep. Mario Biaggi (D-N.Y.), said "Our final legislative product was not some watered-down version of what we set out to do. In the end, there was no compromise on the part of police safety." Despite NRA's help in writing the law, the anti-gun lobby continues to claim that NRA opposed it.

In 1994, after the development in Sweden of another special-purpose handgun round, one never introduced in the United States, Congress again used a construction-based approach to restrict its sale, by prohibiting sales of ammunition manufactured with a "full jacketed projectile larger than .22 caliber designed and intended for use in a handgun and whose jacket has a weight of more than 25 percent of the total weight of the projectile."

Modern, lightweight Level A/IIA body armor vests typically worn by police officers are capable of defeating conventional handgun projectiles, which comprise the vast majority of rounds encountered by officers in hostile encounters. According to Second Chance Body Armor, Inc., the industry leader in the manufacture of police protective vests, police officers' "chances of encountering (threats) beyond Level A/IIA are REMOTE." (Emphasis in the original)

Heavier, higher-performance vests capable of defeating more powerful rifle rounds are also readily available to police officers. However, higher-powered rifle ammunition accounts for a small percentage of the ammunition officers face in dealing with criminals.

=+=+=

This information is presented as a service to the Internet community by the NRA/ILA. Some useful URLs: <http://WWW.NRA.Org>, <gopher://GOPHER.NRA.Org>, <wais://WAIS.NRA.Org>, <ftp://FTP.NRA.Org>, <mailto:LISTPROC@NRA.Org> (Send the word help as the body of a message)

Information can also be obtained by connecting directly to the NRA-ILA GUN-TALK BBS at (703) 934-2121.

NRA.org is maintained by Mainstream.net <mailto:info@mainstream.net>

05/31/95 12:54 202 224 8567

SEN BRADLEY

002

AMENDMENT NO. _____

CALENDAR NO. _____

Offered on Terrorism Bill in Senate

Bradley

Purpose: To amend title 18, United States Code, to regulate the manufacture, importation and sale of any projectile that may be used in a handgun and is capable of penetrating body armor.

IN THE SENATE OF THE UNITED STATES--104th Cong., 1st Sess.

S. 735

To prevent and punish acts of terrorism, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and be printed

AMENDMENT intended to be proposed by Mr. BRADLEY
(for himself, Mr. MOYNIHAN and Mr. LEVIN)

Viz:

1 At the appropriate place insert the following new section:

2 SEC. ____ MANUFACTURE, IMPORTATION, AND SALE OF HANDGUN

3 AMMUNITION CAPABLE OF PENETRATING POLICE BODY

4 ARMOR.

5 (a) EXPANSION OF DEFINITION OF ARMOR PIERCING AMMUNITION. --

6 Section 921(a)(17)(B) of title 18, United States Code, is

7 amended --

8 (1) by striking "or" at the end of clause (i);

9 (2) by striking the period at the end of clause (ii) and

10 inserting "; or"; and

11 (3) by adding at the end the following:

12 "(iii) a projectile that may be used in a handgun and that the

13 Secretary determines, pursuant to section 926(d), to be

14 capable of penetrating body armor."

05/31/98 12:54 202 224 8587

SEN BRADLEY

0003

15 (b) DETERMINATION OF THE CAPABILITY OF PROJECTILES TO
16 PENETRATE BODY ARMOR. -- Section 926 of such title is amended
17 by adding at the end the following:
18 "(d) (1) Not later than 1 year after the date of enactment of
19 this subsection, the Secretary shall promulgate standards for
20 the uniform testing of projectiles against the Body Armor
21 Exemplar, based on standards developed in cooperation with the
22 Attorney General of the United States. Such standards shall
23 take into account, among other factors, variations in
24 performance that are related to the length of the barrel of
25 the handgun from which the projectile is fired and the amount
26 and kind of powder used to propel the projectile.
27 "(2). As used in paragraph (1), the term 'Body Armor
28 Exemplar' means body armor that the Secretary, in cooperation
29 with the Attorney General of the United States, determines
30 meets minimum standards for protection of law enforcement
31 officers."

(2) PERSONS AGAINST WHICH THE SANCTIONS ARE TO BE IMPOSED.—The sanctions shall be imposed pursuant to paragraph (1) on—

(A) the foreign person with respect to which the President makes the determination described in that paragraph;

(B) any successor entity to that foreign person;

(C) any foreign person that is a parent or subsidiary of that person if that parent or subsidiary with requisite knowledge engaged in the activities which were the basis of that determination; and

(D) any foreign person that is an affiliate of that person if that affiliate with requisite knowledge engaged in the activities which were the basis of that determination and if that affiliate is controlled in fact by that person.

(b) SANCTIONS.—

(1) DESCRIPTION OF SANCTIONS.—The sanctions to be imposed pursuant to subsection (a)(1) are, except as provided in paragraph (2) of this subsection, as follows:

(A) PROCUREMENT SANCTION.—The United States Government shall not procure, or enter into any contract for the procurement of, any goods or services from any person described in subsection (a)(2).

(B) EXPORT SANCTION.—The United States Government shall not issue any license for any export by or to any person described in subsection (a)(2).

(2) EXCEPTIONS.—The President shall not be required to apply or maintain the sanctions under this section—

(A) in the case of procurement of defense articles or defense services—

(i) under existing contracts or subcontracts, including the exercise of options for production quantities to satisfy requirements essential to the national security of the United States;

(ii) if the President determines in writing that the person or other entity to which the sanction would otherwise be applied is a sole source supplier of the defense articles or services, that the defense articles or services are essential, and that alternative sources are not readily or reasonably available; or

(iii) if the President determines in writing that such articles or services are essential to the national security under defense coproduction agreements;

(B) to products or services provided under contracts entered into before the date on which the President publishes his intention to impose the sanction;

(C) to—

(i) spare parts which are essential to United States products or production;

(ii) component parts, but not finished products, essential to United States products or production; or

(iii) routine servicing and maintenance of products, to the extent that alternative sources are not readily or reasonably available;

(D) to information and technology essential to United States products or production; or

(E) to medical or other humanitarian items.

(c) SUPERSEDES EXISTING LAW.—The provisions of this section supersede the provisions of section 1604 of the Iran-Iraq Arms Non-Proliferation Act of 1992 (as contained in Public Law 102-484) as such section applies to Iran.

SEC. 3. WAIVER AUTHORITY.

The provisions of section 2 shall not apply if the President determines and certifies to the appropriate congressional committees that Iran—

(1) has substantially improved its adherence to internationally recognized standards of human rights;

(2) has ceased its efforts to acquire a nuclear explosive device; and

(3) has ceased support for acts of international terrorism.

SEC. 4. REPORT REQUIRED.

Beginning 60 days after the date of enactment of this Act, and every 90 days thereafter, the President shall transmit to the appropriate congressional committees a report describing—

(1) the nuclear and other military capabilities of Iran; and

(2) the support, if any, provided by Iran for acts of international terrorism.

SEC. 5. DEFINITIONS.

As used in this Act:

(1) ACT OF INTERNATIONAL TERRORISM.—The term "act of international terrorism" means an act—

(A) which is violent or dangerous to human life and that is a violation of the criminal laws of the United States or of any State or that would be a criminal violation if committed within the jurisdiction of the United States or any State; and

(B) which appears to be intended—

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by assassination or kidnapping.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committees on Banking, Housing and Urban Affairs and Foreign Relations of the Senate and the Committees on Banking and Financial Services and International Relations of the House of Representatives.

(3) FOREIGN PERSON.—The term "foreign person" means—

(A) an individual who is not a United States national or an alien admitted for permanent residence to the United States; or

(B) a corporation, partnership, or other nongovernment entity which is not a United States national.

(4) IRAN.—The term "Iran" includes any agency or instrumentality of Iran.

(5) NUCLEAR EXPLOSIVE DEVICE.—The term "nuclear explosive device" means any device, whether assembled or disassembled, that is designed to produce an instantaneous release of an amount of nuclear energy from special nuclear material that is greater than the amount of energy that would be released from the detonation of one pound of trinitrotoluene (TNT).

(6) DEFINITION.—For purposes of this subsection, the term "requisite knowledge" means situations in which a person "knows", as "knowing" is defined in section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd-2).

(7) UNITED STATES.—The term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(8) UNITED STATES NATIONAL.—The term "United States national" means—

(A) a natural person who is a citizen of the United States or who owes permanent allegiance to the United States;

(B) a corporation or other legal entity which is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if natural persons who are nationals of the United States own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such legal entity; and

(C) any foreign subsidiary of a corporation or other legal entity described in subparagraph (B).[•]

By Mr. BRADLEY.

S. 631. A bill to prevent handgun violence and illegal commerce in firearms; to the Committee on the Judiciary.

HANDGUN CONTROL AND VIOLENCE PREVENTION ACT

• Mr. BRADLEY. Mr. President, handgun violence is redefining the American way of life. We must own up to this reality and bring desperately needed rationality to our gun laws. This is why I rise today to introduce the Handgun Control and Violence Prevention Act of 1995. This legislation is one more important step in ensuring that the madness of gun violence in this country will be brought to an end.

Every year, more than 24,000 Americans—65 a day—are killed with handguns, in homicides, by committing suicide, and by unintentional injuries. Handguns account for only one-third of all firearms, but are responsible for over two-thirds of all firearm-related deaths. Handguns are used in over 80 percent of all firearm murders. Ninety-five percent of the people injured by a handgun each year require emergency care or hospitalization. Of these, 68 percent require overnight care and 32 percent require a hospital stay of 8 days or more. In 1991, the United States led the developed world with 14,373 gun murders, as compared to 186 gun murders in Canada, 76 in Australia, 60 in England, and 74 in Japan. One difference between the United States and the other countries cited is that the other countries all have much stricter gun control laws.

Mr. President, these statistics are not just idle numbers. A few days ago, Sheila Gillespie, a 65-year-old widowed mother of four, was shot in the forehead when she got out of her car to open her garage door at her home in West Caldwell, NJ. Two carjacking assailants, ages 17 and 19, followed her home, viciously shot her, stole her 1990 Honda and were later apprehended driving the car. Ms. Gillespie, who attended mass every day at her local church and is well-known as an outgoing and friendly person, is currently fighting for her life in an intensive care unit at University Hospital in Newark, NJ.

Moreover, a few days after the senseless shooting in West Caldwell, four people were murdered and another critically injured in an apparent robbery attempt at a postal substation in my hometown of Montclair, NJ. Mr. President, two postal workers, Ernest Spruill and Scott Walensky, and two customers, Robert Leslie and George Lomaga, were forced into a backroom and made to lie down on the floor. They were then shot at point blank range, execution style, with a 9-millimeter Taurus semi-automatic pistol containing a high capacity magazine holding 15 deadly, flesh-ripping Black Talon bullets. A third customer, David

Grossman, entered the post office as the robbery was in progress. He was shot in the face and is currently fighting for his life in the hospital.

Mr. President, the victims of the Montclair massacre were shot by an assault weapon. Because of a bullet from an assault weapon, Mr. President, Blanche Spruill, who telephoned her husband of 34 years, Ernest, at the post office on the day of the murder and got no answer, will never see nor talk to him again. Mr. President, because of a bullet fired from an assault weapon, Scott Walensky will never again see his wife, Mary Ann, or his three children. Mr. President, this is exactly the type of situation we intended to prevent when the assault weapons ban was passed in the 1994 omnibus crime law. Thus, any discussion regarding a repeal of the assault weapons ban must begin with the tragic fact that the wife of Scott Walensky is now a widow and his three children are now fatherless.

Everyone is aware of the devastating gun violence that occurs on the streets of urban America. However, the recent mass murder in Montclair occurred in a community that was described in the recent issue of *New Jersey Monthly* as "a desirable community where parents feel safe allowing young children to ride their bicycles around town." The plague of gun violence has engulfed America, and, Mr. President, the American people want to know one question from their elected officials: When will the spiraling, senseless gun violence occurring in the cities and suburbs of this country cease? This legislation, Mr. President, is an attempt to stop the senseless violence.

Mr. President, some will argue that these grim statistics are the result of weak law enforcement, light sentencing, legitimate fear, and the waning of family values. Others will argue that they are the result of joblessness, poverty, and long-term neglect of our most violent neighborhoods. I have no doubt that the growing rate of violent activity has been aggravated in part by all these factors. However, accepting many of these causes of handgun violence does not erase the reality that crime and deviant behavior have become much more of a burden on our society because of the explosive growth in handguns. Disputes that were settled with fists and knives 10 years ago are now being settled with guns. The number, availability, and destructive ability of handguns has contributed significantly to this tragedy.

Every single handgun used in a crime starts out as a legal gun. However, Mr. President, many of the weapons used in crimes are purchased illegally. The black market in illegal handguns is enormous and deadly. Gunrunners go to States with lax gun control laws, purchase hundreds of guns using fake identification, and then sell them on the street corners of our cities to anyone with available cash. Straw purchasers with clean records often stand in to buy guns for criminals and gun-

runners. We must crack down on these rogue dealers, gunrunners, and straw purchasers. Only then can we prevent the illegal sale and use of guns. Only then can we help drive guns off our streets, out of our schools, and from our communities.

The purpose of this bill, Mr. President, is to make it at least as difficult to use a handgun as it is to drive a car. A gun, like a car, can be a dangerous instrumentality. As such, since we require purchasers of cars to have valid operator's licenses, we should, at the very least, require that the purchaser of a gun obtain a license. Mr. President, when the evidence on the danger of handguns is made clear to us every day, it is irresponsible to allow an instrument which can cause so much physical and psychological damage to be made available to people on such a liberal basis.

This bill makes it illegal to purchase a handgun without a valid, nationally uniform, State-issued handgun license. The license would be similar to a driver's license and consist of an identification card with a photograph. In order to acquire the license, a person would have to undergo a background check, present proof of residency in the State of purchase, get fingerprinted, and pass a handgun safety course offered by a local law enforcement officer. Only new purchases of handguns would require a license. Those who currently possess handguns would not have to acquire a license unless they wanted to purchase more handguns.

To stop the transfer of handguns from strawman purchasers to criminals and others intending to commit crimes, this legislation requires that all handgun transfers be registered with appropriate law enforcement officials. If the person transferring the weapon does not register the transfer, he or she will be in violation of Federal law.

To curb interstate gunrunning, this bill limits the purchase of a handgun by any one person to one gun a month. Mr. President, citizens have the right to possess a gun for personal protection. However, Mr. President, I honestly cannot say that someone who purchases 15 to 20 guns at one time is doing so for personal protection. Mr. President, when this provision goes into effect, maybe Interstate 95 will lose its nickname, the "Iron Road," as it becomes more difficult to run guns from States with little gun control to States, like New Jersey, that already enjoy some of the protections in this bill.

This bill also includes tough standards for Federal firearms dealers licenses. Federally licensed firearms dealers will have to pass strict background checks and meet all State and local laws. This will help guard against rogue gun dealers, who illegally sell thousands of firearms to drug gangs and violent criminals.

Mr. President, this legislation also imposes stiff penalties on gun thieves.

It further requires that dealers provide adequate security against theft from the dealer's place of business.

Mr. President, this bill also increases the licensing fees for federally licensed firearm dealers to \$3,000 over a 3-year period. Today, there are more gun dealers than grocery stores. This is outrageous, and I hope this bill will change that situation.

Mr. President, the first anniversary of the Brady law recently passed. The Bureau of Alcohol, Tobacco and Firearms [ATF] estimates that the number of applications to purchase handguns that were denied in the Brady States nationwide was approximately 41,000. In a survey of selected jurisdictions, ATF found that more than 15,500 persons who applied to purchase handguns, including 4,365 convicted felons and 945 fugitives, had their applications denied.

Of equal importance, Mr. President, is the fact that as a result of enforcement of the Brady law and provisions in the Federal crime bill, there are now more gas stations than gun dealers in this country. As incredible as it sounds, Mr. President, just a few years ago there were more gun dealers than gas stations in America. These encouraging results, Mr. President, indicate that with strong legislation and tough enforcement, we can win the war on senseless gun violence.

In closing, Mr. President, we must continue our fight to end the death and destruction of our children and our families, which is too easily becoming a fact of life in our cities and towns. I urge support for this responsible handgun licensing and registration legislation.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 631

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 "Handgun Control and Violence Prevention Act of 1995".

SEC. 2. FINDINGS AND DECLARATIONS

The Congress finds and declares that—

(1) crimes committed with firearms threaten the peace and domestic tranquility of the United States and threaten the security and general welfare of the Nation and its people;

(2) crimes committed with firearms, especially those committed with handguns, have imposed a substantial burden on interstate commerce;

(3) firearms are easily transported across State boundaries and, as a result, individual State action to regulate firearms is made ineffective by lax regulation by other States; and

(4) it is necessary to establish uniform national laws governing all aspects of the firearms industry, requiring handgun licensing and registration, expanding the categories of persons prohibited from possessing firearms, limiting Federal firearms licensees to bona fide importers, manufacturers, and dealers,

and prohibiting the sale of semiautomatic assault weapons and other dangerous weapons.

SEC. 3. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Findings and declarations.
- Sec. 3. Table of contents.

TITLE I—NATIONAL HANDGUN CONTROLS

- Sec. 101. State license required to receive a handgun.
- Sec. 102. Prohibition of multiple handgun transfers.
- Sec. 103. Prohibition of engaging in the business of dealing in handguns without specific authorization; requirement that authorization be provided if applicant demonstrates significant unmet economic demand.

TITLE II—TRACING OF GUNS USED IN CRIMES

- Sec. 201. Dealer assistance with tracing of firearms.
- Sec. 202. Computerization of records.
- Sec. 203. Interstate transportation of firearms.
- Sec. 204. Gun running.
- Sec. 205. Handgun barrel registration.
- Sec. 206. National Firearms Tracing Center.

TITLE III—DEALER RESPONSIBILITY

- Sec. 301. Compliance with State and local firearms licensing laws as condition to issuance of Federal firearms license.
- Sec. 302. Background investigation of licensees.
- Sec. 303. Increased license fees for dealers.
- Sec. 304. Increased penalties for making knowingly false statements in connection with firearms.
- Sec. 305. Dealer inspections.
- Sec. 306. Gun shows.
- Sec. 307. Acquisition and disposition records of dealers suspected of serving as sources of illegal firearms.
- Sec. 308. Dealer responsibility for sales to felons or minors.
- Sec. 309. Interstate shipment of firearms.

TITLE IV—THEFT OF FIREARMS

- Sec. 401. Dealer reporting of firearm thefts.
- Sec. 402. Theft of firearms or explosives.
- Sec. 403. Theft of firearms or explosives from licensee.
- Sec. 404. Security of licensed firearms dealers.

TITLE V—ARMED FELONS

- Sec. 501. Denial of administrative relief from certain firearms prohibitions; inadmissibility of additional evidence in judicial review of denials of such administrative relief for other persons.
- Sec. 502. Clarification of definition of conviction.
- Sec. 503. Enhanced penalty for use of a semiautomatic firearm during a crime of violence or a drug trafficking crime.
- Sec. 504. Violation of firearms laws in aid of drug trafficking.
- Sec. 505. Mandatory penalties for firearms possession by violent felons and serious drug offenders.

TITLE VI—VIOLENT MISDEMEANANTS

- Sec. 601. Prohibition of disposal of firearms or ammunition to, or receipt of firearms or ammunition by, persons convicted of a violent crime or subject to a protection order.

TITLE VII—AMMUNITION

- Sec. 701. Federal license to deal in ammunition.

Sec. 702. Regulation of the manufacture, importation, and sale of certain particularly dangerous bullets.

TITLE I—NATIONAL HANDGUN CONTROLS

SEC. 101. STATE LICENSE REQUIRED TO RECEIVE A HANDGUN.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(y)(1) It shall be unlawful for any person to sell, deliver, or otherwise transfer a handgun to an individual who is not licensed under section 923 unless—

“(A) the transferor (or a licensed dealer, if State law so directs or allows) has verified that the transferee possesses a valid State handgun license by—

“(i) examining the State handgun license;“(ii) examining, in addition to the State handgun license, a valid identification document (as defined in section 1022(d)) containing a photograph of the transferee; and“(iii) contacting the chief law enforcement officer of the State that issued the State handgun license to confirm that the State handgun license has not been revoked; and

“(B) the transferor (or licensed dealer) has provided to the chief law enforcement officer of the State in which the transfer is to take place a completed State handgun registration form for the handgun to be transferred.“(2) It shall be unlawful for any person to sell, deliver, or otherwise transfer handgun ammunition to an individual who is not licensed under section 923 unless the transferor (or licensed dealer, if State law so directs or allows) has verified that the transferee possesses a valid State handgun license by—

“(A) examining the State handgun license; and

“(B) examining, in addition to the State handgun license, a valid identification document (as defined in section 1022(d)) containing a photograph of the transferee.

“(3) It shall be unlawful for any individual who is not licensed under section 923 to receive a handgun or handgun ammunition unless the individual possesses a valid State handgun license.

“(4) As used in this subsection, the term ‘chief law enforcement officer of the State’ means the chief, or equivalent officer, of the State police force, or the designee of that officer.

“(5) As used in this subsection, the term ‘State handgun license’ means a license issued under a State law that, at a minimum, meets the following requirements:

“(A) The State law provides that—“(i) the chief law enforcement officer of the State shall issue State handgun licenses, which shall meet such requirements as to form, appearance, and security against forgery as are prescribed by the Secretary in regulations, in accordance with such procedures as are prescribed by the Secretary in regulations;

“(ii) the State handgun license issued to a licensee shall contain—“(i) the name, address, date of birth, physical description, and a photograph of the licensee; and

“(ii) a unique license number; and

“(iii) a State handgun license shall be valid for a period of not more than 2 years from the date of issue, unless revoked.

“(B) The State law provides that a State handgun license may not be issued unless the chief law enforcement officer of the State determines that the applicant—

“(i) is at least 21 years of age;

“(ii) is a resident of the State, by examining, at a minimum, in addition to a valid identification document (as defined in section 1022(d)), documentation such as a utility bill or lease agreement;

“(iii) is not prohibited from possessing or receiving a handgun under Federal, State, or local law, based upon name- and fingerprint-based research in all available Federal, State, and local recordkeeping systems, including the national instant criminal background check system established by the Attorney General pursuant to section 103 of the Brady Handgun Violence Prevention Act; and

“(iv) has been issued a State handgun safety certificate.

“(D) The State law may authorize the chief law enforcement officer of the State to charge a fee for the issuance of a State handgun license.

“(E) The State law provides that, if the chief law enforcement officer of the State determines that an individual is ineligible to receive a State handgun license and the individual in writing requests the officer to provide the reasons for that determination, the officer shall provide the reasons to the individual in writing not later than 20 business days after receipt of the request.

“(F)(i) The State law provides for the revocation of a State handgun license issued by the chief law enforcement officer of the State if the chief law enforcement officer determines that the licensee no longer satisfies 1 or more of the conditions set forth in subparagraph (B).“(ii) The State law provides that, not later than 10 days after a person possessing a State handgun license that has been revoked receives notice of the revocation, the person shall return the license to the chief law enforcement officer who issued the license.

“(G)(i) The State law provides that, not later than 24 hours after a State handgun licensee discovers that a handgun has been stolen from or lost by the licensee, the licensee shall report the theft or loss to—“(i) the Secretary;

“(ii) the chief law enforcement officer of the State; and

“(iii) appropriate local authorities.

“(H) The State law shall provide that failure to make the reports described in clause (i) shall be punishable by a civil penalty of not less than \$1,000.

“(6) As used in this subsection, the term ‘State handgun registration form’ means a handgun registration form prescribed under a State law that, at a minimum, meets the following requirements:

“(A) The State law provides that a handgun registration form shall not be considered completed by an individual with respect to a handgun, unless the form contains, at a minimum—

“(i) information identifying the individual, including the name, address, date of birth, and number on the State handgun license issued to the individual; and

“(ii) information identifying the handgun, including the make, model, caliber, and serial number of the handgun.

“(B) The State law provides that the chief law enforcement officer of the State shall furnish information from completed handgun registration forms to Federal, State, and local law enforcement authorities upon request.

“(C) The State law may authorize the chief law enforcement officer of the State to charge a fee for the registration of a handgun.

“(7) As used in this subsection, the term ‘State handgun safety certificate’ means a certificate issued under a State law that, at a minimum, meets the following requirements:

“(A) The State law provides that the chief law enforcement officer of the State shall issue State handgun safety certificates.

“(B) The State law provides that a State handgun safety certificate is not to be issued

to an applicant, unless the chief law enforcement officer of the State determines that the applicant—

"(i) is a resident of the State, by examining, at a minimum, in addition to a valid identification document (as defined in section 1028(d)), documentation such as a utility bill or lease agreement;

"(ii) has completed a course of not less than 2 hours of instruction in handgun safety, that was taught by law enforcement officers and designed by the chief law enforcement officer; and

"(iii) has passed an examination, designed by the chief law enforcement officer, testing the applicant's knowledge of handgun safety.

"(C) The State law may authorize the chief law enforcement officer of the State to charge a fee for the handgun safety course and examination described in subparagraph (B)."

(b) DEFINITION OF HANDGUN AMMUNITION.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following new paragraph:

"(33) The term 'handgun ammunition' means—

"(A) a centerfire cartridge or cartridge case less than 1.3 inches in length; or

"(B) a primer, bullet, or propellant powder designed specifically for use in a handgun."

(c) REGULATIONS.—Section 926 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(d) The Secretary shall, for purposes of section 922(y), prescribe regulations—

"(1) governing the form and appearance of State handgun licenses;

"(2) establishing minimum standards that such licenses must meet to be secure against forgery; and

"(3) establishing minimum standards that States must meet in issuing such licenses in order to prevent fraud or theft of such licenses."

(d) PENALTIES FOR VIOLATIONS OF SECTION 922(y) OF TITLE 18.—Section 924(a)(1)(B) of title 18, United States Code, is amended by striking "or (w)" and inserting "(w), or (y)".

(e) TECHNICAL CORRECTION TO BRADY ACT.—Section 922(c)(1)(B)(ii) of title 18, United States Code, is amended by inserting "or State law" after "section".

(f) EFFECTIVE DATE.—The amendments made by this section shall become effective on the date that is 180 days after the date of enactment of this Act.

(g) FUNDING.—

(1) GRANTS FOR ESTABLISHING SYSTEMS OF LICENSING AND REGISTRATION.—The Attorney General shall, subject to the availability of appropriations, make a grant to each State (as defined in section 921(a)(2) of title 18, United States Code) to be used for the initial startup costs associated with establishing a system of licensing and registration consistent with the requirements of section 922(y) of title 18, United States Code, as added by subsection (a).

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under paragraph (1) not more than \$200,000,000, to remain available until expended.

SEC. 102. PROHIBITION OF MULTIPLE HANDGUN TRANSFERS.

Section 922 of title 18, United States Code, as amended by section 101(a), is amended by adding at the end the following new subsection:

"(z)(1) It shall be unlawful for any licensed dealer—

"(A) during any 30-day period, to sell 2 or more handguns to an individual who is not licensed under section 923; or

"(B) to sell a handgun to an individual who is not licensed under section 923 and who

purchased a handgun during the 30-day period ending on the date of the sale.

"(2) It shall be unlawful for any individual who is not licensed under section 923 to purchase 2 or more handguns during any 30-day period.

"(3) Paragraph (1) shall not apply to an exchange (with or without consideration) of a handgun for a handgun."

SEC. 103. PROHIBITION OF ENGAGING IN THE BUSINESS OF DEALING IN HANDGUNS WITHOUT SPECIFIC AUTHORIZATION; REQUIREMENT THAT AUTHORIZATION BE PROVIDED IF APPLICANT DEMONSTRATES SIGNIFICANT UNMET ECONOMIC DEMAND.

(a) PROHIBITION AGAINST ENGAGING IN THE BUSINESS OF DEALING IN HANDGUNS WITHOUT SPECIFIC AUTHORIZATION.—Section 922(a)(1) of title 18, United States Code, is amended—

"(1) by striking "or" at the end of subparagraph (A);

"(2) by redesignating subparagraph (B) as subparagraph (C); and

"(3) by inserting after subparagraph (A) the following new subparagraph:

"(B) to engage in the business of dealing in handguns, or in the course of such business, to ship, transport, or receive any handgun in interstate or foreign commerce, unless the person is specifically authorized to do so under section 923(d)(2)(A); or"

(b) REQUIREMENT THAT AUTHORIZATION BE PROVIDED IF APPLICANT DEMONSTRATES THAT IT IS IN THE PUBLIC INTEREST.—Section 923(d) of title 18, United States Code, is amended—

"(1) by redesignating paragraph (2) as paragraph (3); and

"(2) by inserting after paragraph (1) the following new paragraph:

"(2)(A) The Secretary shall authorize a licensed dealer (or a person whose application for a license to engage in the business of dealing in firearms is required to be approved by the Secretary) to engage in the business of dealing in handguns if the licensed dealer (or the applicant) demonstrates to the Secretary, in accordance with regulations that the Secretary shall prescribe, that there is significant unmet lawful demand for handguns in the market area (as defined by the Secretary) served by the licensed dealer (or to be served by the applicant).

"(B) For purposes of paragraph (3) of this subsection and subsections (e) and (f), a request for authority to engage in the business of dealing in handguns shall be considered to be an application for a license under this section, and the provision of such authority shall be considered to be the issuance of such a license."

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) 2-YEAR GRANDFATHERING OF LICENSED DEALERS.—During the 2-year period that begins on the effective date specified in paragraph (1), the amendments made by this section shall not apply to any person who, on the effective date, is a licensed dealer (as defined in section 921(a)(11) of title 18, United States Code).

TITLE II—TRACING OF GUNS USED IN CRIMES

SEC. 201. DEALER ASSISTANCE WITH TRACING OF FIREARMS.

(a) PROVISION OF RECORD INFORMATION.—Section 923(g) of title 18, United States Code, is amended by adding at the end the following new paragraph:

"(8) Each licensee shall, at such times and under such conditions as the Secretary shall prescribe by regulation, provide all record information required to be kept by this chap-

ter, or such lesser information as the Secretary may specify, as may be required for determining the disposition of a firearm in the course of a law enforcement investigation."

(b) NO CRIMINAL PENALTY.—Section 924(a)(1)(D) of title 18, United States Code, is amended by inserting "except section 923(g)(6)" after "chapter".

SEC. 202. COMPUTERIZATION OF RECORDS.

Section 926 of title 18, United States Code, as amended by section 101(c), is amended—

"(1) in subsection (a), by striking the second sentence; and

"(2) by adding at the end the following new subsection:

"(e) The Director of the Bureau of Alcohol, Tobacco, and Firearms shall centralize all records of receipts and disposition of firearms obtained by the Bureau and maintain such records in whatever manner will enable their most efficient use in law enforcement investigations."

SEC. 203. INTERSTATE TRANSPORTATION OF FIREARMS.

Section 922(a)(3) of title 18, United States Code, is amended to read as follows:

"(3)(A) for any person not licensed under section 923 to transport a firearm from one State into another State; but

"(B)(i) subparagraph (A) shall not preclude any person who lawfully acquires a firearm by bequest or intestate succession in a State other than the person's State of residence from transporting the firearm into or receiving the firearm in the person's State of residence, if it is lawful for the person to possess the firearm in the person's State of residence; and

"(ii) subparagraph (A) shall not apply to—

"(I) the transportation or receipt of any firearm obtained in conformity with subsection (b)(3);

"(II) the transportation of any firearm acquired in any State before the effective date of this chapter;

"(III) the transportation of any firearm in accordance with section 926A; and

"(IV) the transportation of any firearm, under contract or agreement with a person licensed under section 923, by a person who ships or transports goods in the ordinary course of business."

SEC. 204. GUN RUNNING.

(a) PROHIBITIONS.—Section 922 of title 18, United States Code, as amended by section 102, is amended by adding at the end the following new subsection:

"(aa) It shall be unlawful for a person not licensed under section 923 to receive a firearm with the intent to transfer the firearm for profit."

(b) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following new paragraph:

"(6)(A) Except as provided in subparagraph (B), a person who violates section 922(aa) shall be fined under this title, imprisoned not less than 6 months and not more than 3 years, or both.

"(B) A person who violates section 922(aa) with respect to 5 or more firearms during a 30-day period shall be fined under this title, imprisoned not less than 3 years, or both."

SEC. 205. HANDGUN BARREL REGISTRATION.

Section 923(i) of title 18, United States Code, is amended—

"(1) by inserting "(1)" after "(i)"; and

"(2) by adding at the end the following:

"(2) Each licensed manufacturer shall, in accordance with regulations prescribed by the Secretary—

"(A) maintain records of the ballistics of handgun barrels made by the licensed manufacturer and of the serial numbers of such barrels; and

"(B) make such records available to the Secretary."

SEC. 206. NATIONAL FIREARMS TRACING CENTER.

(a) **ESTABLISHMENT.**—The Secretary of the Treasury shall establish in the Bureau of Alcohol, Tobacco, and Firearms a National Firearms Tracing Center, which shall be operated for the purpose of tracing the chain of possession of firearms and ammunition used in crimes.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—For the establishment and operation of the National Firearms Tracing Center there are authorized to be appropriated to the Secretary of the Treasury \$20,000,000 for each of fiscal years 1995, 1996, and 1997.

TITLE III—DEALER RESPONSIBILITY

SEC. 301. COMPLIANCE WITH STATE AND LOCAL FIREARMS LICENSING LAWS AS CONDITION TO ISSUANCE OF FEDERAL FIREARMS LICENSE.

Section 923(d)(1) of title 18, United States Code, is amended—

(1) by striking "and" at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(G) in the case of an application for a license to engage in the business of dealing in firearms—

"(i) the applicant has complied with all requirements imposed on persons desiring to engage in such a business by the State and political subdivision of the State in which the applicant conducts or intends to conduct such business;

"(ii) the business to be conducted pursuant to the license is not prohibited by the law of the State or locality in which the business premises is located; and

"(iii) the application includes a written statement that—

"(I) is signed by the chief of police of the locality, or the sheriff of the county, in which the applicant conducts or intends to conduct such business, the head of the State police of such State, or any official designated by the Secretary; and

"(II) certifies that the information available to the signer of the statement does not indicate that the applicant is ineligible to obtain such a license under the law of such State and locality."

SEC. 302. BACKGROUND INVESTIGATION OF LICENSEES.

(a) **IN GENERAL.**—Section 923(d)(1)(B) of title 18, United States Code, is amended—

(1) by inserting "after a thorough investigation of" before "the applicant"; and

(2) by striking "association" and inserting "association", which investigation shall include checking the applicant's fingerprints against all appropriate compilations of criminal records, the Secretary determines that the applicant"

(b) **INSPECTION OF APPLICANT'S PREMISES.**—Section 923(d)(1) of title 18, United States Code, as amended by section 301, is amended—

(1) by striking "and" at the end of subparagraph (F);

(2) by striking the period at the end of subparagraph (G) and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(H) the Secretary has conducted an inspection of the place at which the applicant is to conduct business pursuant to the license."

(c) **BUSINESS PREMISES REQUIRED OF APPLICANT.**—Section 923(d)(1)(E) of title 18, United States Code, is amended by inserting "business" after "(i)".

(d) **EXTENSION OF PERIOD FOR APPROVING OR DENYING APPLICATION.**—Section 923(d)(3) of

title 18, United States Code, as redesignated by section 103(b), is amended by striking "60-day" and inserting "120-day".

SEC. 303. INCREASED LICENSE FEES FOR DEALERS.

Section 923(a)(3) of title 18, United States Code, is amended to read as follows:

"(3) If the applicant—

"(A) is a dealer in destructive devices or ammunition for destructive devices, a fee of \$2,000 per year; or

"(B) is a dealer not described in subparagraph (A), a fee of \$3,000 for 3 years."

SEC. 304. INCREASED PENALTIES FOR MAKING KNOWINGLY FALSE STATEMENTS IN CONNECTION WITH FIREARMS.

Section 924(a)(3) of title 18, United States Code, is amended by striking "one year" and inserting "10 years".

SEC. 305. DEALER INSPECTIONS.

Section 923(g)(1)(B) of title 18, United States Code, is amended by striking all after "warrant—" and inserting "as necessary to ensure compliance with this chapter, to further a criminal investigation, or to determine the disposition of one or more particular firearms."

SEC. 306. GUN SHOWS.

(a) **PROHIBITION OF CERTAIN HANDGUN TRANSFERS AT GUN SHOWS.**—Section 922(b) of title 18, United States Code, is amended—

(1) by striking "and" at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting "; or"; and

(3) by inserting after paragraph (5) the following new paragraph:

"(6) any handgun to any person who is not a licensed importer, licensed manufacturer, or licensed dealer, at any place other than the location specified on the license of the transferor."

(b) **TECHNICAL AMENDMENTS.**—Section 923 of title 18, United States Code, is amended—

(1) in the first sentence of subsection (j), by inserting "consistent with section 922(b)(6)," before "temporarily"; and

(2) by redesignating subsection (l), as added by section 116304 of the Violent Crime Control and Law Enforcement Act of 1994, as subsection (f).

SEC. 307. ACQUISITION AND DISPOSITION RECORDS OF DEALERS SUSPECTED OF SERVING AS SOURCES OF ILLEGAL FIREARMS.

Section 923(g)(1) of title 18, United States Code, is amended by adding at the end the following new subparagraph:

"(E) If the Secretary, during a 1-year period, has identified a licensed dealer as the source of 3 or more firearms that have been recovered by law enforcement officials in criminal investigations, or if the Secretary has reason to believe that a licensed dealer is a source of firearms used in crimes, the Secretary may require the dealer to produce any or all records maintained by the dealer of acquisition and disposition of firearms, and may continue to impose that requirement until the Secretary determines that the dealer is not a source of firearms used in crimes."

SEC. 308. DEALER RESPONSIBILITY FOR SALES TO FELONS OR MINORS.

(a) **IN GENERAL.**—Chapter 44 of title 18, United States Code, is amended by inserting after section 922 the following new section:

"§922A. Tort liability of licensed dealers

"(a)(1) Any person suffering physical injury arising from a crime of violence (as defined in section 924(c)(3)) in which a qualified firearm is used may bring an action in any United States district court against any qualified licensed dealer for damages and such other relief as the court determines to be appropriate.

"(2) As used in paragraph (1), the term 'qualified firearm' means a firearm that—

"(A) has been transferred by a licensed dealer to a person who—

"(i) has been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year; or

"(ii) has not attained the age of 18 years; and

"(B) is subsequently used by any person in a crime of violence (as defined in section 924(c)(3)).

"(3) As used in paragraph (1), the term 'qualified licensed dealer' means, with respect to a firearm, a licensed dealer who transfers the firearm to a person, knowing or having reasonable cause to believe that the person is prohibited by Federal or State law from receiving the firearm.

"(b)(1) The defendant in an action brought under subsection (a) shall be held liable in tort, without regard to fault or proof of defect, for all direct and consequential damages arising from the crime of violence referred to therein, except as provided in paragraph (2). The court, in its discretion, may award punitive damages.

"(2) There shall be no liability under subsection (a) if it is established by a preponderance of the evidence that the plaintiff suffered the physical injury while committing the crime of violence referred to therein."

(b) **TECHNICAL AMENDMENT.**—The chapter analysis for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 922 the following new item:

"Sec. 922A. Tort liability of licensed dealers."

SEC. 309. INTERSTATE SHIPMENT OF FIREARMS.

Section 922(e) of title 18, United States Code, is amended—

(1) in the first sentence by striking "It shall be" and inserting the following:

"(2) It shall be";

(2) in the second sentence by striking "No common or contract carrier" and inserting the following:

"(3) No common or contract carrier";

(3) by inserting "(1) Any common or contract carrier that undertakes to transport or deliver firearms in interstate or foreign commerce shall not less frequently than monthly, obtain from the Secretary a list of licensed dealers. The Secretary shall provide to any common or contract carrier, upon request and without charge, a list of licensed dealers and their license numbers" after "(e)";

(4) in paragraph (2), as designated by paragraph (1)—

(A) by striking "to persons other than licensed importers, licensed manufacturers, licensed dealers, or licensed collectors"; and

(B) by striking "ammunition" the first place it appears and all that follows through "passenger" and inserting "ammunition—

"(A) without providing written notice to the carrier that the firearm or ammunition is being transported or shipped; and

"(B) if the intended recipient of the package or container is a licensed dealer, providing written notice of the dealer's license number;

except that any passenger"; and

(5) by adding at the end the following new paragraph:

"(4) A common or contract carrier shall be considered to have cause to believe that a shipment of firearms would violate this chapter if it is alleged to the carrier that the intended recipient of the shipment is a licensed dealer and the carrier fails to verify that the intended recipient is a licensed dealer."

TITLE IV—THEFT OF FIREARMS

SEC. 401. DEALER REPORTING OF FIREARM THEFTS

Section 922(g)(6) of title 18, United States Code, is amended to read as follows:

"(6) Each licensee shall report to the Secretary, and to the chief law enforcement officer (as defined in section 922(s)(8)) of the locality in which the premises specified on the license is located, any theft of firearms from the licensee, as soon as practicable after discovery of the theft, but in no event later than the close of business on the first business day after the day on which the licensee discovers the theft."

SEC. 402. THEFT OF FIREARMS OR EXPLOSIVES

(a) FIREARMS.—Section 924 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(o) A person who steals any firearm that is moving as, or is a part of, or that has moved in, interstate or foreign commerce shall be fined under this title, imprisoned not less than 2 nor more than 10 years, or both."

(b) EXPLOSIVES.—Section 844 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(n) A person who steals any explosive materials that are moving as, or are a part of, or that have moved in, interstate or foreign commerce shall be fined under this title, imprisoned not less than 2 nor more than 10 years, or both."

SEC. 403. THEFT OF FIREARMS OR EXPLOSIVES FROM LICENSEE

(a) FIREARMS.—Section 924 of title 18, United States Code, as amended by section 402(a), is amended by adding at the end the following new subsection:

"(p) A person who steals any firearm from a licensed importer, licensed manufacturer, licensed dealer, or licensed collector shall be fined under this title, imprisoned not more than 10 years, or both."

(b) EXPLOSIVES.—Section 844 of title 18, United States Code, as amended by section 402(b), is amended by adding at the end the following new subsection:

"(o) A person who steals explosive materials from a licensed importer, licensed manufacturer, licensed dealer, or any permittee shall be fined under this title, imprisoned not more than 10 years, or both."

SEC. 404. SECURITY OF LICENSED FIREARMS DEALERS

(a) REQUIREMENT.—Section 923 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(m) A licensed dealer shall provide for security against theft of firearms from the dealer's business premises, in accordance with regulations prescribed by the Secretary."

(b) DENIAL OF DEALER'S LICENSE.—Section 923(d)(1)(G) of title 18, United States Code, as added by section 301(3), and amended by section 302(b)(2), of this Act, is amended—

(1) by striking "and" at the end of clause (ii);

(2) by striking the period at the end of clause (iii) and inserting "; and"; and

(3) by adding at the end the following new clause:

"(iv) the applicant has provided for security against theft of firearms from the place at which business is to be conducted pursuant to the license, in accordance with regulations prescribed under subsection (m)."

TITLE V—ARMED FELONS

SEC. 501. DENIAL OF ADMINISTRATIVE RELIEF FROM CERTAIN FIREARMS PROHIBITIONS; INADMISSIBILITY OF ADDITIONAL EVIDENCE IN JUDICIAL REVIEW OF DENIALS OF SUCH ADMINISTRATIVE RELIEF FOR OTHER PERSONS

(a) IN GENERAL.—Section 925(c) of title 18, United States Code, is amended—

(1) in the first sentence—

(A) by inserting "(1)" before "A person";

(B) by inserting "(as defined in section 921(a)(1) (other than an individual))" before "who is prohibited"; and

(C) by striking "his" and inserting "the Secretary's";

(2) by striking the second and third sentences;

(3) in the fourth sentence—

(A) by striking "A licensed importer" and inserting the following:

"(2) A licensed importer";

(B) by inserting "person (as defined in section 921(a)(1) (other than an individual)) who is a" before "licensed importer"; and

(C) by striking "his" and inserting "the person's"; and

(4) by amending the fifth sentence to read as follows:

"(3) When the Secretary grants relief to a person under this section, the Secretary shall promptly publish in the Federal Register a notice of the action, which shall include—

"(A) the name of the person;

"(B) the disability with respect to which the relief is granted, and, if the disability was imposed by reason of a criminal conviction of the person, the crime for which, and the court in which, the person was convicted; and

"(C) the reasons for the action."

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to—

(1) applications for administrative relief, and actions for judicial review, that are pending on or after the date of enactment of this Act; and

(2) applications for administrative relief filed, and actions for judicial review brought, on or after the date of enactment of this Act.

SEC. 502. CLARIFICATION OF DEFINITION OF CONVICTION

Section 921(a)(20) of title 18, United States Code, is amended—

(1) in the first sentence—

(A) by inserting "(A)" after "(20)"; and

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) in the second sentence by striking "What" and inserting the following:

"(B) What"; and

(3) by striking the third sentence and inserting the following:

"(C) A State conviction that has been expunged or set aside, or for which a person has been pardoned or has had civil rights restored, shall not be considered to be a conviction for purposes of this chapter if—

"(i) the expungement, setting aside, pardon, or restoration of civil rights applies to a named person and expressly authorizes the person to ship, transport, receive, and possess firearms; and

"(ii) the State authority granting the expungement, setting aside, pardon, or restoration of civil rights has expressly determined that the circumstances regarding the conviction, and the person's record and reputation, are such that—

"(I) the applicant will not be likely to act in a manner that is dangerous to public safety; and

"(II) the granting of the relief would not be contrary to the public interest."

(D) Subparagraph (C) shall not apply to a conviction for a violent felony (as defined in

section 924(e)(2)(B)) or a serious drug offense (as defined in section 924(e)(2)(A))."

SEC. 503. ENHANCED PENALTY FOR USE OF A SEMIAUTOMATIC FIREARM DURING A CRIME OF VIOLENCE OR A DRUG TRAFFICKING CRIME

(a) IN GENERAL.—Section 924(c)(1) of title 18, United States Code, is amended by striking "and if the firearm is a short-barreled rifle, short-barreled shotgun" and inserting "if the firearm is a semiautomatic firearm, a short-barreled rifle, or a short-barreled shotgun."

(b) SEMIAUTOMATIC FIREARM.—Section 921(a) of title 18, United States Code, as amended by section 101(b), is amended by adding at the end the following new paragraph:

"(34) The term 'semiautomatic firearm' means a repeating firearm that—

"(A) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round; and

"(B) requires a separate pull of the trigger to fire each cartridge."

SEC. 504. VIOLATION OF FIREARMS LAWS IN AID OF DRUG TRAFFICKING

Section 924(j) of title 18, United States Code, is amended to read as follows:

"(j)(1) A person who, with the intent to engage in or to promote conduct described in paragraph (2), violates any provision of this chapter or attempts to do so shall be imprisoned not more than 10 years, fined under this title, or both.

"(2) Conduct is described in this paragraph if it is conduct that—

"(A) is punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.);

"(B) violates any law of a State relating to any controlled substance (as defined in section 102 of the Controlled Substances Act, 21 U.S.C. 802); or

"(C) constitutes a crime of violence (as defined in subsection (c)(3))."

SEC. 505. MANDATORY PENALTIES FOR FIREARMS POSSESSION BY VIOLENT FELONS AND SERIOUS DRUG OFFENDERS

(a) ONE PRIOR CONVICTION.—Section 924(a)(2) of title 18, United States Code, is amended by inserting "and if the violation is of section 922(g)(1) by a person who has a previous conviction for a violent felony or a serious drug offense (as defined in subsection (e)(2)(A) and (B)), a sentence imposed under this paragraph shall include an additional term of imprisonment of not less than 5 years" before the period.

(b) TWO PRIOR CONVICTIONS.—Section 924 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(q)(1) Notwithstanding subsection (a)(2), a person who violates section 922(g) and has 2 previous convictions by any court for a violent felony (as defined in subsection (e)(2)(B)) or a serious drug offense (as defined in subsection (e)(2)(A)), for which a term of imprisonment exceeding 1 year has been imposed, committed on occasions different from one another shall be fined under this title, imprisoned not less than 10 nor more than 20 years, or both.

"(2) Notwithstanding any other law, the court shall not suspend the sentence of, or grant a probationary sentence to, a person described in paragraph (1) with respect to the conviction under section 922(g)."

(c) TECHNICAL CORRECTION.—Section 924 of title 18, United States Code, is amended by redesignating paragraph (5), as added by section 110201(b)(2) of the Violent Crime Control

and Law Enforcement Act of 1994, as paragraph (6).

TITLE VI—VIOLENT MISDEMEANANTS

SEC. 801. PROHIBITION OF DISPOSAL OF FIREARMS OR AMMUNITION TO, OR RECEIPT OF FIREARMS OR AMMUNITION BY, PERSONS CONVICTED OF A VIOLENT CRIME OR SUBJECT TO A PROTECTION ORDER.

(a) PROHIBITION OF DISPOSAL.—Section 922(d) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting a semicolon; and

(3) by inserting after paragraph (8) the following new paragraphs:

"(9) has been convicted in any court of an offense that—

"(A) is punishable by imprisonment for more than 6 months; and

"(B)(i) has, as an element, the use, attempted use, or threatened use of physical force against another person; or

"(ii) by its nature, involves a substantial risk that physical force against a person described in subparagraph (A) may be used in the course of committing the offense; or

"(10) is required, pursuant to an order issued by a court in a case involving the use, attempted use, or threatened use of physical force against another person, to refrain from contact with or maintain a minimum distance from that person."

(b) PROHIBITION OF RECEIPT.—Section 922(g) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (7);

(2) by striking the comma at the end of paragraph (8) and inserting a semicolon; and

(3) by inserting immediately after paragraph (8) the following new paragraphs:

"(9) who has been convicted in any court of an offense that—

"(A) is punishable by imprisonment for more than 6 months; and

"(B)(i) has, as an element, the use, attempted use, or threatened use of physical force against another person; or

"(ii) by its nature, involves a substantial risk that physical force against a person described in subparagraph (A) may be used in the course of committing the offense; or

"(10) who is required, pursuant to an order issued by a court in a case involving the use, attempted use, or threatened use of physical force against another person, to refrain from contact with or maintain a minimum distance from that person."

TITLE VII—AMMUNITION

SEC. 701. FEDERAL LICENSE TO DEAL IN AMMUNITION.

(a) DEFINITIONS.—

(1) DEALER.—Section 921(a)(11)(A) of title 18, United States Code, is amended by inserting "or ammunition" after "firearms".

(2) COLLECTOR.—Section 921(a)(13) of title 18, United States Code, is amended by inserting "or ammunition" after "firearms".

(3) ENGAGED IN THE BUSINESS.—Section 921(a)(21) of title 18, United States Code, is amended—

(A) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(B) by inserting after subparagraph (D) the following new subparagraph:

"(E) as applied to a dealer in ammunition, a person who devotes time, attention, and labor to engaging in such activity as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of ammunition, but such term does not include a person who makes occasional sales, exchanges, or purchases of ammunition for the

enhancement of a personal collection or for a hobby, or who sells all or part of the person's personal collection of ammunition;"

(b) PROHIBITIONS.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) (as amended by section 103(a))—

(i) by amending subparagraph (A) to read as follows:

"(A) except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce; or"

(ii) by striking "or" at the end of subparagraph (B) and inserting a period; and

(iii) by striking subparagraph (C);

(B) in paragraphs (2), (3), and (5) by inserting "or ammunition" after "firearm" each place it appears;

(2) in subsection (b)(3)—

(A) by inserting "or ammunition" after "firearm" each place it appears; and

(B) by inserting "or ammunition for a rifle or shotgun," after "shotgun";

(3) in subsection (c)—

(A) by inserting "or ammunition" after "firearm" the first, third, fourth, fifth, sixth, and seventh places it appears;

(B) by inserting "or any ammunition other than for a shotgun or rifle," after "rifle," the first place it appears; and

(C) by inserting "or ammunition for a shotgun or rifle," after "rifle," the second place it appears;

(4) in subsection (e) (as amended by section 309) by inserting "or ammunition" after "firearms" each place it appears; and

(5) in subsection (q)(2)—

(A) in subparagraph (A) by inserting "or ammunition" after "firearm"; and

(B) by adding at the end the following new subparagraph:

"(C) Subparagraph (A) shall not apply to the possession of ammunition—

"(i) on private property not part of school grounds;

"(ii) if the individual possessing the ammunition is licensed to do so by the State in which the school zone is located or a political subdivision of the State, and the law of the State requires that, before an individual obtain such a license, the law enforcement authorities of the State or political subdivision verify that the individual is qualified under law to receive the license;

"(iii) that is in a locked container;

"(iv) by an individual for use in a program approved by a school in the school zone;

"(v) by an individual in accordance with a contract entered into between a school in the school zone and the individual or an employer of the individual;

"(vi) by a law enforcement officer acting in the officer's official capacity; or

"(vii) that is possessed by an individual while traversing school premises for the purpose of gaining access to public or private lands open to hunting, if the entry on school premises is authorized by school authorities."

(c) LICENSING.—Section 923 of title 18, United States Code, is amended—

(1) in the first sentence of subsection (a) by striking "importing or manufacturing";

(2) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by inserting "and ammunition" after "firearms" the first place it appears;

(II) by striking "firearms" the second place it appears; and

(III) by striking "or any licensed importer or manufacturer of ammunition," and

(11) in each of subparagraphs (B)(iii) and (C)(ii) by inserting "or rounds of ammunition" after "firearms"; and

(B) in paragraph (2)—

(i) by inserting "or ammunition" after "firearm"; and

(ii) by inserting "or ammunition" after "firearms";

(C) in paragraph (8), as added by section 201(a), by inserting "or ammunition" after "firearm"; and

(D) in paragraph (9), as added by section 401, by inserting "or ammunition" after "firearms";

(3) in subsection (d)(1)(G)(iv), as added by section 404(b), by inserting "or rounds of ammunition" after "firearms";

(4) in subsection (j)—

(A) by inserting "or ammunition" after "firearms" the second place it appears; and

(B) by inserting "and ammunition" after "firearms" the third place it appears; and

(5) in subsection (m), as added by section 404(a), by inserting "or ammunition" after "firearms".

(d) PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (g) by inserting "or ammunition" after "firearm";

(2) in subsection (h) by inserting "or ammunition" after "firearm" each place it appears;

(3) in subsection (o), as added by section 402(a), by inserting "or ammunition" after "firearm"; and

(4) in subsection (p), as added by section 403(a), by inserting "or ammunition" after "firearm".

(e) INTERSTATE TRANSPORTATION.—Section 926A of title 18, United States Code, is amended—

(1) in the section heading by inserting "and ammunition" after "firearms"; and

(2) in the text by inserting "or ammunition" after "firearm" in the first, second, third, and fourth places it appears.

(f) POSSESSION IN FEDERAL FACILITIES.—Section 930 of title 18, United States Code, is amended—

(1) in the section heading by inserting "and ammunition" after "firearms";

(2) by inserting "and ammunition" after "firearm" each place it appears; and

(3) in subsection (d)(3) by inserting "and ammunition" after "firearms".

(g) TECHNICAL AMENDMENTS.—The chapter analysis for chapter 44 of title 18, United States Code, is amended—

(1) in the item relating to section 926A by inserting "and ammunition" after "firearms"; and

(2) in the item relating to section 930 by inserting "and ammunition" after "firearms".

SEC. 702. REGULATION OF THE MANUFACTURE, IMPORTATION, AND SALE OF CERTAIN PARTICULARLY DANGEROUS BULLETS.

Section 921(a)(17) of title 18, United States Code, is amended by striking subparagraph (B) and inserting the following:

"(B) The term 'armor piercing ammunition'—

"(i) means—

"(I) a projectile or projectile core that may be used in a handgun and that is constructed entirely (excluding the presence of traces of other substances) from 1 or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium;

"(II) a jacketed, hollow point projectile that may be used in a handgun and the jacket of which is designed to produce, upon impact, evenly spaced sharp or barb-like projections that extend beyond the diameter of the unfired projectile; or

"(III) a jacketed projectile that may be used in a handgun and the jacket of which

has a weight of more than 25 percent of the total weight of the projectile; but

"(II) does not include—

"(I) shotgun shot required by Federal or State environmental or game regulations for hunting purposes;

"(II) a frangible projectile designed for target shooting;

"(III) a projectile that the Secretary finds is primarily intended to be used for sporting purposes; or

"(IV) any other projectile or projectile core that the Secretary finds is intended to be used for industrial purposes, including a charge used in an oil or gas well perforating device." •

ADDITIONAL COSPONSORS

S. 44

At the request of Mr. REID, the names of the Senator from Arkansas [Mr. BUMPERS], the Senator from New Hampshire [Mr. SMITH], and the Senator from Delaware [Mr. ROTH] were added as cosponsors of S. 44, a bill to amend title 4 of the United States Code to limit State taxation of certain pension income.

S. 240

At the request of Mr. DOMENICI, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 240, a bill to amend the Securities Exchange Act of 1934 to establish a filing deadline and to provide certain safeguards to ensure that the interests of investors are well protected under the implied private action provisions of the Act.

S. 442

At the request of Ms. SNOWE, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 442, a bill to improve and strengthen the child support collection system, and for other purposes.

S. 524

At the request of Mr. WELLSTONE, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 524, a bill to prohibit insurers from denying health insurance coverage, benefits, or varying premiums based on the status of an individual as a victim of domestic violence and for other purposes.

S. 615

At the request of Mr. AKAKA, the names of the Senator from West Virginia [Mr. ROCKEFELLER] and the Senator from Colorado [Mr. CAMPBELL] were added as cosponsors of S. 615, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to furnish outpatient medical services for any disability of a former prisoner of war.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. NICKLES. Mr. President, I ask unanimous consent that the Finance Committee be permitted to meet on Monday, March 27, 1995, beginning at 9:30 a.m. in room SD-215, to conduct a

hearing on supplemental security income (SSI).

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

COMMITTEE ON FOREIGN RELATIONS

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Monday, March 27, 1995, at 2 p.m. to hold a hearing on U.S. dependence on foreign oil.

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

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, REGARDING EDUCATIONAL TRAVEL

Mr. MCCONNELL. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee received notification under rule 35 for Margaret Cohen, a member of the staff of Senator KASSEBAUM, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 10 to April 19, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Cohen in this program.

The select committee received notification under rule 35 for Martha James, a member of the staff of Senator INHOFE, to participate in a program in Korea sponsored by the A-san Foundation from April 16 to April 22, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. James in this program.

The select committee received notification under rule 35 for Steven Shimberg, a member of the staff of Senator CHAFFEE, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 8 to April 20, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Shimberg in this program.

The select committee received notification under rule 35 for Kelly Johnston, a member of the staff of Senator NICKLES, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 9 to April 23, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Johnston in this program.

ADDITIONAL STATEMENTS

THE VISIT OF NEW ZEALAND'S PRIME MINISTER

• Mr. THOMAS. Mr. President, I would like to take this opportunity to call my colleagues' attention to the visit to the United States this week of New Zealand's Prime Minister, the Rt. Hon. James Bolger. This is the first visit of a sitting Prime Minister to our country in over a decade.

New Zealand and the United States have had traditionally close relations based largely on shared cultural ties to Great Britain and security concerns in the South Pacific. We have been close allies in both world wars, and New Zealand has participated with us and Australia in the regional ANZUS security alliance. We both participate in such economic organizations as APEC [Asia Pacific Economic Corporation], PECC [Pacific Economic Cooperation Council], and the PBEC [Pacific Basin Economic Committee].

But the relationship has not been without its tensions. The primary focus of United States-New Zealand relations over the last 10 years has revolved around port visits nuclear by armed and powered United States Navy ships. In the mid-1980's, New Zealand enacted legislation declaring the country a nuclear-free zone. As a result, United States nuclear powered or armed Navy ships were banned from New Zealand ports. Since it is not U.S. policy to identify which ships are or are not nuclear—some 40 percent are—the effect was to prohibit any port calls by our Navy. Washington retaliated by formally abrogating our defense treaty relationship with New Zealand, ceasing to share intelligence information, and cutting off all high-level ties between governments.

Mr. President, while this issue is one of importance in our bilateral relationship and thus should not be swept under the rug, I choose not to dwell on it today for several reasons. First, it is not the only facet to our relationship. The rift has narrowed somewhat over the years; and in spite of it, we have continued to work side-by-side with New Zealand on other security issues. New Zealand has been an active participant in a series of peacekeeping missions, and fought with American troops in the gulf. More recently, New Zealand was the first country to make a monetary contribution to KEDO in furtherance of the agreed framework with North Korea.

In addition, New Zealand has made important and impressive economic strides over the past decade which deserve our attention. In the 1950's, New Zealand was one of the world's five wealthiest countries; but by the late 1970's, it had fallen to near 20th. The reason appears to have been the country's economic policies which bordered on almost Socialist central-market control. New Zealand had one of the

Dennis Burke

DEPARTMENT OF JUSTICE
OFFICE OF LEGISLATIVE AFFAIRS CONTROL DATA SHEET

From: THE WHITE HOUSE (104TH CONG) (D.J.1249)
To: CONGRESS
Date Received: 07-05-95 Date Due: NONE Control # : L95070501687
Subject & Date
07-05-95 (SAVING LAW ENFORCEMENT OFFICERS' LIVES ACT)
ATTACHED FOR YOUR INFORMATION IS A COPY OF THE BILL "TO
SAVE THE LIVES OF AMERICA'S LAW ENFORCEMENT OFFICERS",
AS TRANSMITTED TO CONGRESS BY THE PRESIDENT ON 06-30-95.
(D.J.1249)

(1)	Referred To:	Date:	Referred To:	Date:	Type:
(2)	OLA;GESS	07-05-95	(5)		
(3)			(6)		Cat
(4)			(7)		JUS
	Interim by:		(8)		ATTY:
	Sig. For:		Date:		NG
			Date Released: 07-05-95		

Remarks

(1) COPIES PROVIDED TO CRM/LITT/PAULEY/REYNOLDS,
OLC/SHIFFRIN, FBI, USM, DEA, INS, PUBLIC LIAISON/HOFFMAN/
SULLIVAN, ODAG/FISHMAN, EOA/DEFALAISE, OJP/KRAMER/BOYD -
FOR YOUR INFORMATION. CC: OLA/FOIS/MARKUS/BRINK/
GRAUPENSPERGER/BURKE/JONES/TAYLOR

Other Remarks:

Remarks: OLA ATTY: NICK GESS, 514-7779
Exec Sec Ctrl # : NONE

THIS DOCUMENT MUST BE DISPOSED OF BY SHREDDING



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

LEGISLATIVE REFERENCE DIVISION
ECONOMICS, SCIENCE, AND GENERAL GOVERNMENT BRANCH

TO: *Debbie / Gray*

FROM: RON JONES
PHONE: (202) 395-3386
FAX: (202) 395-3109

DATE: 7/5
TIME: 1000

NUMBER OF PAGES FOLLOWING THIS COVER SHEET: 5

SUBJECT:

COMMENTS:

Here's what ~~we have~~ we have, # the Fair Shear. ~~and~~

Please call (202) 395-3454 to report any difficulties with transmission of this fax.

U.S. DEPARTMENT OF JUSTICE

OFFICE OF LEGISLATIVE AFFAIRS

FACSIMILE COVER SHEET



TO:

Michael O'

FAX NO.:

224-2725

FROM:

DENNIS BURKE

PHONE:

202/514-5310

DATE:

NO. OF PAGES: _____ (EXCLUDING COVER)

COMMENTS:

Cop Killer
Bullets
"Stop them"

THIS SEARCH	THIS DOCUMENT	THIS CR ISSUE	GO TO
Next Hit	Forward	Next Document	New Search
Prev Hit	Back	Prev Document	HomePage
Hit List	Best Sections	Daily Digest	Help
	Doc Contents	Extens Contents	CR Issues by Date

Congressional Record entry 1 of 100

THE ANTI-COP-KILLER BULLET ACT

[Page: E84]

HON. FORTNEY PETE STARK

OF CALIFORNIA

in the House of Representatives

Wednesday, January 11, 1995

Mr. STARK. Mr. Speaker, today I am introducing legislation that would impose a tax and import controls on bullets expressly designed to penetrate the bulletproof vests of law enforcement personnel.

This legislation, the **Anti-Cop-Killer Bullet Act**, would impose the same tax which currently exists on controlled firearms, such as submachine guns and sawed-off shotguns, to high-technology **cop killer** bullets like the rhino and black talon bullet. If enacted, the bullet manufacturer would be taxed at the rate of \$200 for each bullet--a tax so high that the bullet obviously would never be produced.

Over 10 years ago, a Teflon-coated bullet designed to pierce soft body armor was introduced. Due to strong public reaction, Congress in 1986 enacted the very first law to ban a round of ammunition. Since then other bullets manufactured from different materials but designed with the same purpose have been introduced. Only after threatening or actually carrying out our threat to ban these **cop-killer** bullets, have we in Congress been successful at stopping them from reaching our streets.

However, as soon as we in Congress go through the motions of preventing a **cop-killer** bullet from going into production, along comes another manufacturer with a new bullet designed to penetrate protective armor. This pattern will continue as long as bullet manufacturers are allowed to exploit the loophole that exists in the 1986 law banning **cop-killer** bullets. Under the law, only metal alloy and Teflon-coated bullets were singled out leaving the door wide open for companies such as the Signature Products Corporation to develop plastic-based ammunition like the rhino bullet.

My legislation would prevent these unscrupulous bullet manufacturers from taking advantage of this loophole in existing Federal law. Rather than attempting to add another amendment to the 1986 law, the **Anti-Cop-Killer Bullet Act** proposes an across-the-board tax on all bullets expressly manufactured or advertised to penetrate normal quality bulletproof vests worn by law enforcement personnel. The tax at \$200 per bullet would surely make the business of manufacturing **cop-killer** bullets an economic impossibility.

America's law enforcement officers are already out-gunned as it is. Having to worry about a bullet piercing their protective armor should be the last thing on their mind.

By passing the **Anti-Cop-Killer Bullet Act**, we will be giving our law enforcement the support they need. I urge my colleagues to join with me to pass this legislation so that we can prevent these **cop-killer** bullets from endangering the lives of America's law enforcement officers.

~~Cott~~

- Ceburn

- Brewster

- J.C. Watts

-

~~\$~~



U. S. Department of Justice

F-0-0

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 28, 1995

MEMORANDUM

TO: Bruce Reed
Domestic Policy Council
The White House

FROM: Nicholas M. Gess
Counsel to the Assistant Attorney General
Office of Legislative Affairs

SUBJECT: Cop Killer Bullets

N. G.

Attached please find an updated set of talking points for your use as well as a draft of the Fact Sheet forwarded to OMB. The only change in the talking points is that - after discussion with OMB - the period for which Treasury regulations must "lie on the table" has been changed from 10 to 45 days. This should make the bill more palatable to those who have expressed concern that Congress is delegating too much authority to the Executive Branch.

Please call me on 514-7779 if you have any questions or if I may be of any further assistance.

Attachment



U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

June 28, 1995

MEMORANDUM

TO: Susan Brophy
Legislative Affairs
The White House

FROM: Nicholas M. Gess
Counsel to the Assistant Attorney General
Office of Legislative Affairs

SUBJECT: Cop Killer Bullets

A handwritten signature in dark ink, appearing to read "N. Gess", written over the "FROM" field of the memorandum.

Attached please find an updated set of talking points for your use as well as a draft of the Fact Sheet forwarded to OMB. The only change in the talking points is that - after discussion with OMB - the period for which Treasury regulations must "lie on the table" has been changed from 10 to 45 days. This should make the bill more palatable to those who have expressed concern that Congress is delegating too much authority to the Executive Branch.

Please call me on 514-7779 if you have any questions or if I may be of any further assistance.

Attachment

SAVING POLICE OFFICERS' LIVES ACT OF 1995

June 28, 1995

- The Saving Police Officers' Lives Act of 1995 permits the regulation of handgun ammunition which serves little lawful sporting purpose but which serves primarily to kill law enforcement officers.

- The statute creates a simple regulatory scheme whereby a uniform standard would be established by regulation. Ammunition which exceeded the standard, could be banned.

- Such a standard is known as a "performance-based standard" because the regulation of the ammunition is based on the performance of the ammunition, not its content or other characteristics. By way of example, ammunition capable of piercing a specific make of bullet-proof vest might be banned under this regulatory scheme.

- Existing law already authorizes content-based regulation of ammunition. While this was a large step forward in protecting the lives of police officers, it does not go far enough. This is because it is possible to manufacture ammunition from materials which are otherwise not excessively dangerous in such a fashion as to render the final product so dangerous as to warrant regulation.

- The statute recognizes concerns expressed by Members during the markup of the Hyde Terrorism bill (H.R. 1710):

- To answer concerns that the regulations will strip important interest groups of their input, the statute would require consultation with appropriate groups. These are groups which represent law enforcement, sportsmen, the industry and academic researchers.
- To answer concerns that a given Secretary of Treasury might elect to effectively ban all ammunition by establishing a particularly low standard, this statute would require that regulations be forwarded to the Senate and House Judiciary Committees where they would "lie on the table" for 45 days. The regulations would only become effective as law if Congress did not act within the 10 days.

- This proposed legislation is very similar to an amendment to the Hyde Terrorism Bill (H.R.1710) offered by Rep. Schumer (D-NY) during the recent markup. That amendment passed by a bare majority but then failed when on reconsideration. Rep. Schumer publicly accused the NRA of having "torpedoed" the amendment.

- Senator Moynihan (D-NY) has consistently argued that effective anti-violence measures require that we regulate ammunition, not firearms.

"Saving Law Enforcement Officers Lives Act of 1995"

FACT SHEET

The President today transmitted to Congress a legislative proposal entitled the "Saving Law Enforcement Officers' Lives Act of 1995." This legislation would improve the government's ability to protect law enforcement officers from handgun ammunition which - as the result of its performance - is unduly dangerous.

Federal law already authorizes restrictions on the manufacture and importation of handgun ammunition made from certain types of materials. However, there are no restrictions on ammunition which may be manufactured from commonly used materials, but which by virtue of other characteristics -- such as the explosive charge which they contain -- become excessively dangerous to law enforcement because they can pierce bullet proof vests.

The Saving Law Enforcement Officers' Lives Act of 1995 would:

- Direct the Secretary of the Treasury to promulgate regulations establishing a uniform standard to be used in determining whether handgun ammunition -- by virtue of its performance -- is excessively dangerous to law enforcement officers in that it will pierce standard bullet proof vests from a specified distance.
- Direct the Secretary of the Treasury to promulgate regulations prohibiting the manufacture and importation of handgun ammunition which functions at or above this uniform standard.
- Require the Secretary of the Treasury to consult with law enforcement, sporting groups, bullet proof vest manufacturers, ammunition manufacturers and the academic research community in developing both the uniform standard and in drafting the regulations specifying the types of ammunition to be banned.
- Require the Secretary of the Treasury to provide copies of the proposed regulations to the Judiciary Committees of both the Senate and the House of Representatives.
- Provide that the proposed regulations would not take effect for 45 days after they are provided to the Judiciary Committees, giving Congress the time to act to override them.

SAVING LAW ENFORCEMENT OFFICERS' LIVES ACT OF 1995**SECTION-BY-SECTION ANALYSIS**

Section 1 is the short title.

Section 2 amends section 921 of title 18, United States Code, which defines armor piercing ammunition. The amendment would add a reference to the performance standards to be developed by the Secretary of the Treasury pursuant to section 3. The manufacture, importation, sale, and delivery of armor piercing ammunition is prohibited by current law (18 U.S.C. 922(a)(7-8) and 923(e)).

Section 3 requires the Secretary of the Treasury to determine whether a projectile that may be used in a handgun is capable of penetrating body armor (e.g., bullet-proof vests). The section authorizes the Secretary to issue regulations to provide for uniform testing of projectiles based on standards established by the Secretary.

Before issuing such regulations, the Secretary would have to consult with representatives of Federal, State, county, and local law enforcement; organizations representing the sporting use of firearms; the manufacturers of ammunition and of bullet-proof vests; and the ammunition and protective gear research community.

No such regulation could take effect until 45 days after it was published in the Federal Register and delivered to the Congress. During the 45-day period, the Congress could repudiate such regulations by law.

Section 4 authorizes the appropriation of such sums as may be necessary to develop and implement performance measures for armor piercing ammunition and to issue regulations for performance measures for armor piercing ammunition.

URGENT

Dennis Burke

DEPARTMENT OF JUSTICE
OFFICE OF LEGISLATIVE AFFAIRS CONTROL DATA SHEET

From: OLA (GINGRICH, CONG. NEWT & GORE, VP AL) (104TH) (D.J.1249)
To: GINGRICH, CONG. NEWT AND GORE, VP AL
Date Received: 06-22-95 Date Due: 06-23-95 Control # : L95062201574
Subject & Date
06-22-95 (SAVING POLICE OFFICERS' LIVES ACT OF 1995)
ATTACHED FOR YOUR REVIEW AND COMMENT IS A DRAFT LEGISLATIVE
PROPOSAL ENTITLED THE "SAVING POLICE OFFICERS' LIVES ACT
OF 1995". (D.J.1249)

DUE BY 5:30 PM 06-23-95

	Referred To:	Date:		Referred To:	Date:	Type:
(1)	OLA;NG-RD	06-22-95	(5)			
(2)			(6)			
(3)			(7)			Cat
(4)			(8)			JUS
	Interim by:			Date:		ATTY:
	Sig. For: OLA			Date Released:		NG

Remarks

(1) REPORTING UNIT: OLA. ADVISORY UNITS: OLC/SHIFFRIN/
ROSEBOROUGH, CRM/LITT/PAULEY/REYNOLDS, EOA, OPD/LITMAN,
ODAG/FOIS/SGRO, OJP/BOYD/KRAMER, FBI, DEA, USM, INS,
PUBLIC LIAISON/HOFFMAN/SULLIVAN - COMMENTS DUE TO OLA BY
5:30 PM 06-23-95. CC: OLA/MARKUS/GRAUPENSPERGER/BURKE/
ZIEMBA/EVANS/JONES/TAYLOR

Other Remarks:

Remarks: OLA ATTY: NICK GESS, 514-7779
Exec Sec Ctrl #: NONE

THIS DOCUMENT MUST BE DISPOSED OF BY SHREDDING

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 "Saving Police Officers' Lives Act of 1995".

SECTION 2. TABLE OF CONTENTS

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of Contents.
- Sec. 3. Findings and Purposes.
- Sec. 4. Protecting Police Officers' Lives

SECTION 3. FINDINGS AND PURPOSES

1. Whereas, the men and women of Federal, state, county and local law enforcement, are America's first line of defense against crime; and
2. Whereas, too many law enforcement officers die every year; and
3. Whereas, America could prevent the deaths of many of these law enforcement officers by standing side-by-side with them and banning ammunition which serves no purpose other than to kill and maim police officers; and
4. Whereas, current law only prohibits the manufacture, importation and sale of ammunition which is made of specific materials but does not consider ammunition which may be dangerous because of the way in which it performs; and

5. Whereas, Congress has historically delegated the authority to make case-by-case decisions to high-ranking government officials by authorizing them to promulgate regulations; and
6. Whereas, the Attorney General is the nation's chief law enforcement officer; and
7. Whereas, the Attorney General is the government official best able to determine whether a given type of ammunition serves any lawful or sporting purpose or serves only to kill and maim;

The Congress finds as follows:

1. It ought to be illegal to manufacture, import or sell ammunition which serves no lawful sporting purpose but which poses a substantial threat to the lives of America's law enforcement officers;
2. The determination of whether ammunition serves a lawful sporting purpose or serves primarily to kill and main human beings, thereby endangering the lives of America's law enforcement officers ought to be made based upon the performance of the ammunition, not what it is made of;
3. Congress cannot effectively examine or keep up with every new type of ammunition;
4. With proper oversight, the nation's chief law enforcement officer - the Attorney General - ought to be authorized to promulgate regulations designating ammunition which serves no lawful sporting purpose.

SECTION 4. PROTECTING LAW ENFORCEMENT OFFICERS' LIVES

(a) DEFINITION OF ARMOR PIERCING AMMUNITION. -- Section 921(a)(17)(B) of title 18, United States Code, is amended--

(1) by striking "or" at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting "; and"; and

(3) by adding at the end the following:

"(iii) a projectile that may be used in a handgun and that the Attorney General determines pursuant to the procedure specified in sub-section (c) to be capable of penetrating body armor."

(b) DETERMINATION OF THE CAPABILITY OF PROJECTILES TO PENETRATE BODY ARMOR. -- Section 926 of such title is amended by adding at the end the following: "(d)(1) The Attorney General shall determine whether a projectile is capable of penetrating body armor, in accordance with regulations which he may prescribe in accordance with the procedures set forth in subsection (c). Such regulations shall provide for uniform testing of projectiles against the Body Armor Exemplar, based on standards developed by the Attorney General in conjunction with representatives of Federal, state, county and local law enforcement agencies and their representatives. Such standards shall take into account, among other factors, variations in performance that are related to the length of the barrel of the firearm from which the projectile is fired and the amount and kind of powder used to propel the projectile."

"(2) As used in paragraph (1), the term 'Body Armor Exemplar' means body armor that the Attorney General, in conjunction with representatives of Federal, state, county and local law enforcement and their representatives, determines meets minimum standards for protection of law enforcement officers."

(c) PROCEDURES. The Attorney General is authorized to promulgate such regulations as he deems necessary to carry out the intent of this Act. Before promulgating any such regulation, the Attorney General shall:

1. Consult with appropriate representatives of organizations representing the sporting use of firearms; and
2. Consult with appropriate representatives of Federal, state, county and local law enforcement.

No regulation promulgated pursuant to this section shall take effect until ten days after the Attorney General shall have caused it to be published in the Federal Register and cause it to be delivered to the Senate and the House of Representatives of the United States during which time the Congress may act to repudiate such regulation.

THIS SEARCH	THIS DOCUMENT	THIS CR ISSUE	GO TO
Next Hit	Forward	Next Document	New Search
Prev Hit	Back	Prev Document	HomePage
Hit List	Best Sections	Daily Digest	Help
	Doc Contents	Senate Contents	CR Issues by Date

Congressional Record entry 6 of 100

REPORT OF PROPOSED LEGISLATION ENTITLED 'THE SAVING LAW ENFORCEMENT OFFICERS' LIVES ACT OF 1995'--MESSAGE FROM THE PRESIDENT--PM 60 (Senate - June 30, 1995)

[Page: S9515]

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Judiciary.

To the Congress of the United States:

Today I am transmitting for your immediate consideration and passage the 'Saving Law Enforcement Officers' Lives Act of 1995.' This Act would limit the manufacture, importation, and distribution of handgun ammunition that serves little sporting purpose, but which kills law enforcement officers. The details of this proposal are described in the enclosed section-by-section analysis.

Existing law already provides for limits on ammunition based on the specific materials from which it is made. It does not, however, address the problem of excessively powerful ammunition based on its performance.

Criminals should not have access to handgun ammunition that will pierce the bullet-proof vests worn by law enforcement officers. That is the standard by which so-called 'cop-killer' bullets are judged. My proposal would limit the availability of this ammunition.

The process of designating such ammunition should be a careful one and should be undertaken in close consultation with all those who are affected, including representatives of law enforcement, sporting groups, the industries that manufacture bullet-proof vests and ammunition, and the academic research community. For that reason, the legislation requires the Secretary of the Treasury to consult with the appropriate groups before regulations are promulgated. The legislation also provides for congressional review of the proposed regulations before they take effect.

This legislation will save the lives of law enforcement officers without affecting the needs of legitimate sporting enthusiasts. I urge its prompt and favorable consideration by the Congress.

The White House, June 30, 1995.

[Page: S9516]

THIS SEARCH	THIS DOCUMENT	THIS CR ISSUE	GO TO
Next Hit	Forward	Next Document	New Search
Prev Hit	Back	Prev Document	HomePage
Hit List	Best Sections	Daily Digest	Help
	Doc Contents	Senate Contents	CR Issues by Date

To: Dennis Burke From Chris Sullivan ⁵¹⁴⁻²⁵⁰⁴ 456-7524

OFFICE OF MANAGEMENT AND BUDGET
LEGISLATIVE REFERENCE DIVISION

TO: CHRIS Sullivan

FROM: RON JONES
PHONE: (202) 395-3386
FAX: (202) 395-3109

DATE: 5/15
TIME: 3:15

NUMBER OF PAGES FOLLOWING THIS COVER SHEET: 6

COMMENTS:

Army Law Enforcement Officers' Law Act

TO THE CONGRESS OF THE UNITED STATES:

Today I am transmitting for your immediate consideration and enactment the "Saving Law Enforcement Officers' Lives Act of 1995." This Act would limit the manufacture, importation, and distribution of handgun ammunition which serves little sporting purpose, but which kills law enforcement officers.

Existing law already provides for limits on ammunition based on the specific materials from which it is made. It does not, however, address the problem of excessively powerful ammunition based on its performance.

Criminals should not have access to handgun ammunition which will pierce the bullet-proof vests worn by law enforcement officers. That is the standard by which so-called "cop-killer" bullets are judged. My proposal would limit the availability of this ammunition.

The process of designating such ammunition should be a careful one and should be undertaken in close consultation with all those who are affected, including representatives of law enforcement, sporting groups, the industries which manufacture bullet-proof vests and ammunition, and the academic research community. For that reason, the legislation requires the Secretary of the Treasury to consult with the appropriate groups before regulations are promulgated. The legislation also provides for congressional review of the proposed regulations before they take effect.

The details of this proposal are described in the enclosed section-by-section analysis.

This legislation will save the lives of law enforcement officers without affecting the needs of legitimate sporting enthusiasts. I urge its prompt and favorable consideration by the Congress.

THE WHITE HOUSE,

A BILL

To save the lives of America's law enforcement officers.

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
"Saving Law Enforcement Officers' Lives Act of 1995."

SEC. 2. DEFINITION OF ARMOR PIERCING AMMUNITION.--Section
921(a)(17)(B) of title 18, United States Code, is amended--

(a) by striking "or" at the end of clause (i);

(b) by striking the period at the end of clause (ii)

and inserting "; or"; and

(c) by adding at the end the following:

"(iii) a projectile that may be used in a handgun and
that the Secretary determines pursuant to the procedure specified
in section 926(d) to be capable of penetrating body armor."

SEC. 3. DETERMINATION OF THE CAPABILITY OF PROJECTILES TO
PENETRATE BODY ARMOR.--Section 926 of title 18, United States
Code, is amended by adding at the end the following:

"(d)(1) The Secretary shall determine whether a projectile
is capable of penetrating body armor, in accordance with
regulations which the Secretary may prescribe. Such regulations
shall provide for uniform testing of projectiles against the Body
Armor Exemplar, based on standards developed by the Secretary.

"(2) As used in paragraph (1), the term 'Body Armor
Exemplar' means body armor that the Secretary determines meets

1 minimum standards for protection of law enforcement officers.

2 "(3) Before promulgating regulations under this subsection,
3 the Secretary shall select and consult with representatives of:

4 "(A) Federal, State, county, and local law
5 enforcement;

6 "(B) organizations representing the sporting use of
7 firearms;

8 "(C) the industries involved in the manufacture of
9 ammunition and of articles of protective gear generally known as
10 'bullet-proof vests'; and

11 "(D) members of the ammunition and protective gear
12 research community.

13 "(4) No regulation promulgated pursuant to this subsection
14 shall take effect until 45 days after it is published in the
15 Federal Register and delivered to the Congress, during which time
16 the Congress may by law repudiate such regulation."

17 SEC. 4. AUTHORIZATION OF APPROPRIATIONS.--There are
18 authorized to be appropriated to the Secretary of the Treasury
19 such sums as may be necessary to --

20 (a) develop and implement performance measures for armor
21 piercing ammunition; and

22 (b) promulgate regulations for performance measures for
23 armor piercing ammunition.

SAVING LAW ENFORCEMENT OFFICERS' LIVES ACT OF 1995**SECTION-BY-SECTION ANALYSIS**

Section 1 is the short title.

Section 2 amends section 921 of title 18, United States Code, which defines armor piercing ammunition. The amendment would add a reference to the performance standards to be developed by the Secretary of the Treasury pursuant to section 3. The manufacture, importation, sale, and delivery of armor piercing ammunition is prohibited by current law (18 U.S.C. 922(a)(7-8) and 923(e)).

Section 3 requires the Secretary of the Treasury to determine whether a projectile that may be used in a handgun is capable of penetrating body armor (e.g., bullet-proof vests). The section authorizes the Secretary to issue regulations to provide for uniform testing of projectiles based on standards established by the Secretary.

Before issuing such regulations, the Secretary would have to consult with representatives of Federal, State, county, and local law enforcement; organizations representing the sporting use of firearms; the manufacturers of ammunition and of bullet-proof vests; and the ammunition and protective gear research community.

No such regulation could take effect until 45 days after it was published in the Federal Register and delivered to the Congress. During the 45-day period, the Congress could repudiate such regulations by law.

Section 4 authorizes the appropriation of such sums as may be necessary to develop and implement performance measures for armor piercing ammunition and to issue regulations for performance measures for armor piercing ammunition.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

June 30, 1995

"Saving Law Enforcement Officers' Lives Act of 1995"FACT SHEET

The President today transmitted to Congress a legislative proposal entitled the "Saving Law Enforcement Officers' Lives Act of 1995." This legislation would improve the Government's ability to protect law enforcement officers from handgun ammunition which -- as the result of its performance -- is unduly dangerous.

Federal law already authorizes restrictions on the manufacture, importation, and distribution of handgun ammunition made from certain types of materials. However, there are no restrictions on ammunition which may be manufactured from commonly used materials, but which by virtue of other factors, can pierce the bullet-proof vests worn by law enforcement officers.

The Saving Law Enforcement Officers' Lives Act of 1995 would:

- Direct the Secretary of the Treasury to determine if certain handgun ammunition -- by virtue of its performance -- is excessively dangerous to law enforcement officers because it will pierce standard bullet-proof vests. The Secretary would by regulation establish standards for the uniform testing of such ammunition.
- Prohibit the manufacture, importation, and distribution of handgun ammunition that functions at or above this uniform standard.
- Require the Secretary of the Treasury to consult with law enforcement representatives, sporting groups, bullet-proof vest manufacturers, ammunition manufacturers, and the academic research community in developing the regulations authorized by this Act.
- Require the Secretary of the Treasury to provide copies of the proposed regulations to the Congress, and provide that such regulations would not take effect for 45 days thereafter, giving Congress the time to act to override them.

HANDLING

☒ Urgent!
 (Hand-carry)

☐ Expedite
 (Time sensitive)

☐ Regular Handling

☐ Decision Memo

☐ Information Memo

☐ Testimony/Speech

☒ Correspondence, Outgoing to The President Control #

SPECIAL HANDLING INSTRUCTIONS

NOTE: The two originals and extra copies of this package are being held in Jack Arthur's office. Jack will transmit the consolidated package to the White House after all the reviewers listed below have signed-off on the attached.

SHORT SUMMARY OF MATERIAL

The attached memorandum forwards a legislative proposal -- the "Saving Law Enforcement Officers' Lives Act of 1995" -- for the President to transmit to Congress. We are advised by the Domestic Policy Council (Bruce Reed) that the President is scheduled to transmit this legislation to Congress tomorrow, June 30th.

This package was prepared by Justice and has been reviewed and approved by Treasury, DPC, the Office of White House Counsel, and OMB staff.

NAME AND DIVISION	PREPARED BY	CLEARED BY	CLEARED BY	CLEARED BY	CLEARED BY	CLEARED BY	CLEARED BY
	Jones/Jukes/ Peterson--LR	Litan GGF	Damus GC	Kieffer AD/LA	Haas AD/C	Arthur DO	
INITIALS AND DATE	<i>[Signature]</i> 6/1/96	<i>[Signature]</i> 6-29	<i>[Signature]</i> 6-29	<i>[Signature]</i> 6/29	<i>[Signature]</i> 6/29	<i>[Signature]</i> 6/29	
NAME AND DIVISION	CLEARED BY	CLEARED BY	CLEARED BY	CLEARED BY	CLEARED BY	CLEARED BY	CLEARED BY
INITIALS AND DATE							