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PROPOSED LEGISLATION: "SAVING LAW ENFORCEMENT OFFICERS' LIVES ACT OF 1995"

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A DRAFT OF PROPOSED LEGISLATION TO SAVE THE LIVES OF AMERICA'S LAW ENFORCEMENT OFFICERS

JUNE 30, 1995.—Message and accompanying papers referred to the Committee on the Judiciary and ordered to be printed

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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.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 30, 1995.*

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.

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 minimum standards for protection of law enforcement officers.

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

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

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

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

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

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

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

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

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

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