



NATIONAL SHOOTING SPORTS FOUNDATION, INC.

FLINTLOCK RIDGE OFFICE CENTER • 11 MILE HILL ROAD • NEWTOWN, CT 06470-2359
TEL (203) 426-1320 • FAX (203) 426-1087 • www.nssf.org

LAWRENCE G. KEANE
SENIOR VICE PRESIDENT &
GENERAL COUNSEL

March 17, 2008

Joint Committee on Judiciary
Legislative Office Building
Room 2500
Hartford, CT 06106

Position: **Oppose**

Re: Raised Bill No. S.B. 603 - An Act Concerning Ammunition Coding

Dear Members of the Joint Committee on Judiciary:

The National Shooting Sports Foundation (NSSF), the trade association for the firearms, ammunition, hunting and recreational shooting sports industry, welcomes this opportunity to explain to you why we oppose Raised Bill No. S.B. 603 on several grounds. The bill would force ammunition manufacturers to adopt a patented, sole sourced technology to laser engrave a unique individual serial number onto each ammunition cartridge. **It is simply not possible as a practical matter to laser engrave a unique serial number on individual bullets that are made using modern high speed manufacturing processes.**

Bullet Serialization is Infeasible – Leads to de facto Ammunition Ban

This legislation is essentially a *de facto* ammunition ban that will have serious consequences for law-abiding sportsmen, hunters, gun owners and law enforcement agencies throughout Connecticut.

NSSF does not question whether it is technologically possible to laser etch metal; it is. That is not the point. The problem with bullet serialization is that it is impossible to do on a mass production basis. The manufacturing of ammunition is a high volume – low margin business. Utilizing modern manufacturing processes and distribution practices the domestic small arms ammunition industry produces *at least 10 billion ammunition cartridges a year* at already low-profit margins. The three largest domestic manufacturers (who collectively account for the vast majority of the market) produce an estimated *20 million rounds of ammunition in a single day*. If manufacturers had to comply with bullet serialization, NSSF estimates that it would take close to four weeks to manufacture what is currently made in a single day. This massive reduction in ammunition production would translate into substantially lower sales and profitability and ultimately force major ammunition manufacturers to abandon the market because to comply would render them unprofitable and/or bankrupt. Ammunition manufacturers could not serialize their product without hundreds of millions of dollars in capital investment to

build the new factories that would be needed in order to meet the requirements of bullet serialization. At the same time, hundreds of millions of dollars of existing plants and equipment, and decades of manufacturing (cost-saving) efficiencies, would be rendered obsolete.

There would be a severe shortage of serialized ammunition and all consumers, including federal, state and local law enforcement agencies, would be faced with substantial price increases. *Ammunition will go from costing pennies to several dollars per cartridge.* A 50 round box of ammunition would cost over \$200. The result would be that already overstretched law enforcement budgets would be stretched even thinner. Sales tax revenue to the state would drop. Small mom-n-pop retailers would be badly hurt and many driven out of business.

Bullet Serialization Threatens Law Enforcement Safety

Bullet serialization would impact law enforcement safety as well. Reducing the availability and affordability of training ammunition would allow for degrading marksmanship. The technical evolution of law enforcement pistol ammunition has progressed exponentially over the past 15 years. For example, NSSF ammunition producers developed bullet-bonding technology to provide law enforcement with products that offer enhanced performance through barriers such as auto glass, steel, and wallboard. Law enforcement will be forced to use lesser quality ammunition, putting officers at risk. And as manufacturers use the same machines and manufacturing processes to make all ammunition, whether it is for the civil, law enforcement or military markets, it would be impossible, as some contend, to merely exempt law-enforcement and avoid the impact.

Bullet serialization was considered by the California legislature a few years ago and rejected in part because numerous law-enforcement groups were opposed including the California Police Chiefs' Association, the California Peace Officers' Association, the Association of Los Angeles Deputy Sheriffs and the Los Angeles Police Protective League. James J. Fotis, Executive Director of the Law Enforcement Alliance of America, went so far as to say, "If passed, this legislation will certainly play out like a horror flick on public safety and law enforcement in California."

Bullet Serialization Threatens National Security and Homeland Defense

Bullet serialization would also have a disastrous impact on the military readiness of our nation's armed forces and on homeland security by threatening the health and readiness of the domestic small arms ammunition industry. In opposing the California bill then under consideration, Congressman Duncan Hunter, then Chairman of the House Armed Services Committee, expressed such concerns in a letter to Governor Schwarzenegger describing bullet serialization as "troubling." The congressman wrote, ". . . I am strongly opposed to this proposal because of the harmful impact it will have on the manufacturers of ammunition used by our nation's armed services and law enforcement agencies."

Bullet Serialization Has Not Be Independently Tested

This patented technology has itself not been subjected to independent peer-reviewed testing by qualified scientists and forensic experts. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has not studied the technology. It has not been the subject of any articles in the Journal of the Association of Firearm and Toolmark Examiners (AFTE), the relevant professional society.

The patent holder, Ammo Coding Systems, which is affiliated with Ravensforge, a company that makes products to protect against damage from skateboards, misleadingly claims the technology has been tested by the California Department of Justice. Bureaucrats, not forensic experts, from the California Department of Justice, did test fire some limited number of rounds of ammunition in an unscientific and uncontrolled setting – a public shooting range – but those so-called “test results” and the test methodology were never independently peer-reviewed by anyone, let alone qualified ballistics and forensic experts. It is also worth noting that the California legislature was so impressed by these results that they soundly defeated the legislation (S.B. 357).

On March 5th the renowned National Research Council (NRC), an arm of the National Academies of science and engineering, released a report that, while advising against developing a national ballistics-imaging database, examines the use of micro laser technologies like bullet serialization and firearms microstamping as a potential aid to law enforcement. The scientists at the National Research Council recommended, **“that for such a technology to be implemented successfully, in-depth investigations on several topics are needed. These topics include the reliability and durability of the marks in a variety of firing conditions, their susceptibility to tampering and countermeasures, whether it would be best to place them on guns or ammunition or both, and the cost implications and feasibility of adding these technologies to established manufacturing processes.”**

It is worth noting that at as part of its research the NRC heard from the patent holders for both the bullet serialization and firearms microstamping and the available independent studies of these technologies.

The National Shooting Sports Foundation has long supported and called for further study of both firearms micro-stamping and bullet serialization.

Issues and Problems With Adopting Sole Sourced Technologies

Mandating a patented sole sourced technology creates a government-endorsed monopoly for the patent holder.

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The NRC report also raised serious concerns over adopting and implementing sole sourced technologies. Among the concerns raised is that the “**potential for advancement and innovation is limited.**” The NRC recommends, “removing strict dependence on a sole-source provider and ensuring government ownership of and access to result data” as part of any procurement process.

Conclusion

The reasons outlined above are among the reasons why “bullet serialization” has been rejected by every state legislature in America to consider legislation to mandate the use of this infeasible, untested patented sole source technology. Just last week the state of Illinois rejected it. Earlier this month the Maryland legislature rejected the concept. Last month it was defeated in both the Hawaii House of Representatives and Senate without any support from the public and with strong opposition from the Hawaii Attorney General.

The NSSF strongly urges you to oppose Raised Bill No. 603.

Sincerely,

A handwritten signature in cursive script that reads "Lawrence G. Keane".

Lawrence G. Keane