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Prepared Testimony of Rep. Henry A. Waxman
Ranking Member, Committee on Government Reform
U.S. House of Representatives
before the
California Assembly Select Committee on Gun Violence
February 22, 2002

Informational Hearing: "Fifty Caliber Sniper Rifle"

Thank you Chairman Koretz, and members of the Committee, for inviting me to speak about the long-range, fifty caliber sniper weapon. I think this is a very important issue—one that has become even more urgent since September 11—and I commend you for calling this hearing.

I began an investigation into fifty caliber weapons over three years ago. During this investigation, I issued three reports on the widespread availability of these weapons, their armor piercing ammunition, and their use in criminal and terrorist enterprises. The U.S. General Accounting Office played an important role in these investigations, sending agents undercover to purchase weapons and special armor piercing ammunition. I would like to make these reports part of the record.

What we learned was shocking. Fifty-caliber weapons are among the most dangerous and powerful weapons available today. They can hit targets accurately one mile away and can inflict damage to targets up to four miles away. According to one leading authority, they can "wreck several million dollars' worth of jet aircraft with one or two dollars' worth of cartridge." Yet they are virtually unregulated. In fact, they are less regulated than handguns.

When I began this investigation, the U.S. Marines invited us to their Scout Sniper School at Quantico, Virginia. They explained that fifty caliber sniper rifles are military weapons. They were used by our forces in World War I, in Vietnam, and in the Gulf War, and they are being used in Afghanistan. These Marine snipers then provided a demonstration in which they shot through everything imaginable—bulletproof glass, a 3½-inch thick manhole cover, even a 600 pound safe. I brought a video of that demonstration, and I will submit that for the record.

In one of the most chilling parts of our investigation, GAO special agents went undercover to assess the availability of specialized armor piercing ammunition. They taped

several conversations in which dealers assured them that this ammunition could be used for “taking out” civilian aircraft, helicopters, armored limousines, and other targets. The dealers then went ahead—even after these conversations—and arranged to ship the ammunition to the agents at locations near Washington, D.C.

One manufacturer of these weapons, the Tromix Company, recently advertised its fifty caliber rifles by displaying shots fired through the cockpit windshield of a McDonald Douglas DC-9 aircraft. I brought posters of this so the Committee could see. It is difficult to imagine what legitimate purpose this manufacturer is suggesting with these ads.

It is not difficult to imagine, however, what terrorists could do with these weapons. The risks are not theoretical. During our investigation, we found that these weapons had been acquired by doomsday religious cults, white supremacists, criminal militias, and Mexican drug cartels. There have also been cases in which terrorist organizations—including Osama bin Laden and al Qaeda—obtained the weapons.

Even the U.S. military is concerned about its own vulnerability to fifty caliber weapons. In 1995, the U.S. Air Force commissioned a study by the RAND Corporation which found that fifty caliber rifles present a security threat, particularly in their ability to destroy aircraft on U.S. bases overseas. According to the report, fifty caliber sniper rifles provide a “deadly option against parked aircraft.”

Other groups, such as the Violence Policy Center, have also issued warnings. They submitted a report to Congress detailing the vulnerability of major sporting events, critical infrastructure networks, and the nation’s chemical and nuclear facilities. We have also received numerous warnings from high-level government security experts at the Secret Service, the Bureau of Alcohol, Tobacco, and Firearms, and other law enforcement agencies.

In an effort to reduce these risks, I have introduced legislation with several other members in the last two sessions of Congress calling for more stringent regulation of these dangerous weapons. Currently, fifty caliber sniper weapons are regulated less strictly than handguns at the federal level. Individuals have to wait until they turn 21 to buy a handgun, but any 18-year-old is allowed to purchase a fifty caliber weapon. Our bill would recognize the military nature of fifty caliber rifles and classify them in the same category as machine-guns, restricting their possession to individuals who are registered and undergo criminal background checks.

Unfortunately, no action by Congress appears imminent. The Republican leadership in the House has failed to schedule a vote on our bill. Moreover, the current Administration also appears unwilling to address this serious problem. Although I have written to Governor Tom Ridge, President Bush’s Director for Homeland Security, to enlist his support for my legislation, I have received no response.

Under these circumstances, state action may be the public’s best hope. I encourage this Committee to act now to stem the widespread availability of these weapons of war.