



# FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION

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## Representing Members Of:

AGENCY for INTERNATIONAL DEVELOPMENT  
AGRICULTURE-OIG and FOREST SERVICE  
COMMERCE

Export Enforcement, OIG  
& NOAA Fisheries Law Enforcement

## DEFENSE

Air Force - OIG  
Army - CID  
Defense Criminal Investigative Service  
Naval Criminal Investigative Service  
OIG

## EDUCATION - OIG

## ENERGY -OIG

ENVIRONMENTAL PROTECTION AGENCY - CID & OIG

FEDERAL DEPOSIT INSURANCE CORPORATION - OIG

GENERAL SERVICES ADMIN.-OIG

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Immigration & Customs Enforcement  
Federal Air Marshal  
Federal Emergency Management Agency  
Federal Protective Service  
US Secret Service  
Transportation Security Administration

## HOUSING & URBAN DEVELOPMENT - OIG

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Bureau of Land Management  
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National Park Service  
OIG  
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Drug Enforcement Administration  
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US Marshals Service  
OIG

U.S. Attorney's Office-CI

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NATIONAL AERONAUTICS & SPACE ADMIN. - OIG

NUCLEAR REGULATORY COMMISSION - OIG

POSTAL SERVICE-OIG & Inspection

RAILROAD RETIREMENT BOARD - OIG

SECURITIES & EXCHANGE COMMISSION - OIG

SMALL BUSINESS ADMINISTRATION - OIG

SOCIAL SECURITY ADMINISTRATION - OIG

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Bureau of Diplomatic Security & OIG

## TRANSPORTATION-OIG

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TIGTA

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April 25, 2013

House Subcommittee on National Security

Chairman: The Honorable Jason Chaffetz

Ranking Member: The Honorable John Tierney

House Subcommittee on Economic Growth, Job Creation  
and Regulatory Affairs

Chairman: The Honorable Jim Jordan

Ranking Member: The Honorable Matthew Cartwright

Hearing: "The Procurement and Use of Ammunition by  
Federal Government Agencies"

### Federal Law Enforcement Officers Association

Witness Statement: Jon Adler, National President

Chairman Chaffetz, Ranking Member Tierney, Chairman Jordan, Ranking Member Cartwright, Distinguished Members of the Committees, on behalf of the 26,000 membership of the Federal Law Enforcement Officers Association (FLEOA), I thank you for the opportunity to appear before you today. My name is Jon Adler and I am the National President of FLEOA. I am proud to represent federal law enforcement officers from over 65 different agencies. My testimony will primarily address the need for federal law enforcement agencies to acquire a sufficient amount of ammunition for both training and field purposes.

I've served in federal law enforcement for over 22 years, and I've taught tactical training both at the Federal Law Enforcement Training Center and in the field. Based on my experience and information I've acquired through FLEOA, I am aware that all federal agencies run their law enforcement officers through a pistol qualification course (PQC) at least once a calendar year; more than half run two PQC's per year. The PQC is intended to confirm that all federal officers maintain the basic minimal level of marksmanship required to safely carry and deploy a firearm.

The average course of fire for a PQC is 60 rounds. Typically, each Officer/Agent will fire two courses of fire during each qualification. In the course of a year, most federal officers fire a minimum of 240 rounds for the PQC. This does not include the special tactical units which fire a considerable higher number of rounds in training. In order to ensure operational readiness and officer safety, each Officer/Agent is required to leave the range with a fully loaded weapon and two fully loaded magazines: approximately 40 rounds per Officer/Agent.

All of the agencies carry semi-auto pistols with an average magazine capacity of 13 rounds. Each officer/agent carries a full magazine in their service weapon, as well as two full back up magazines. In many instances, Officers/Agents carry back up weapons as well, with varying ammunition capacity. Back up weapons are critical for enforcement operations and provide an alternative means of defense in the event of a primary firearm malfunction.

Regularly scheduled firearms training is critical to both and Officer/Agent safety, and the public safety. Law enforcement officers must maintain a minimal level of firearms proficiency to ensure they're capable of discharging their weapon in a safe and effective manner should they be confronted by a lethal threat. While violent criminals do not take pause to consider their surroundings or the prospect of hitting innocent bystanders, Officers/Agents do. In a real use of force situation, Officers/Agents will ultimately fall back on their training and experience. If the former is lacking, their performance may be lacking. This could result in unintended fatal consequences.

It is imperative that Officers/Agents use "street-carry" ammo (full metal jacket, hollow point ammo) during the PQC. There is no better way to assess the required level of marksmanship to ensure a base level of shooting skill. Some agencies use frangible ammo for tactical training purposes. While this type of ammo may be good for certain tactical drills, it should not be used for the PQC. Frangible ammo, due to its composition, is not as accurate as street-carry ammo, will cause a higher rate of malfunctions and has less of a recoil. Use of frangible ammo for PQC's also creates potential liability issues since it will not serve as an accurate indicator of the Officer/Agent's marksmanship with street-carry ammo.

Additionally, most federal agencies make ammo available for Officers/Agents to use during the time in between biannual PQC's. Officers/Agents are encouraged to use this ammo to improve upon their level of marksmanship, and further reinforce the essential shooting basics. Most federal Officers/Agents may go through their career without discharging their firearm. Nonetheless, they need to train for that event so their performance will enable them to survive while protecting those in harm's way.

According to FLEOA attorney's, the frequency of federal law enforcement shooting incidents continues to rise. In 2013, federal Officers/Agents are averaging one shooting incident per week. Due to proper training and firearm proficiency, the vast

majority of these shooting incidents are ruled justifiable. As was evidenced more recently during the pursuit of the Boston Marathon bombing terrorists, federal law enforcement officers need to maintain a level of preparedness to ensure optimum performance – and this was proven during the safe capture of the second suspect.

FLEOA recognizes and respects the need for the government to identify and eliminate wasteful spending. However, ensuring a federal law enforcement officer is properly trained and armed does not, and should not, fall into that category.

I thank you for your time and I'd be happy to answer any questions committee members may have.

Respectfully submitted,

*Jon Adler*

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## **Jon Adler** FLEOA National President

Mr. Adler has been an active member in FLEOA since 1994. He was elected to FLEOA'S Executive Board in 2003 as National Secretary, and has since served on the Board as First Vice President and as Executive Vice President. In November 2008, Mr. Adler was elected as FLEOA'S National President for a three year term. One of his biggest accomplishments with FLEOA was drafting the proposal for the Congressional Badge of Bravery Act that was ultimately signed into law by President Bush on July 31st, 2008 (P.L. 110-298).

In addition to serving as FLEOA'S National President, Mr. Adler also serves as:

- \*Chair of the Congressional Badge of Bravery Federal Review Board
- \*Executive board member of the National Law Enforcement Officers Memorial Fund
- \*Executive board member of the DHS Federal Law Enforcement Advisory Board
- \*Executive board member of the FLEOA Foundation
- \*Executive council member of the International Council of Police Representative Associations

Mr. Adler is also a proud member of Beta Gamma Sigma (National Business Honor Society), Kappa Delta Pi (International Honor Society in Education), and a charter member of ILEETA (the International Law Enforcement Educators and Trainers Association)

Mr. Adler began his career in federal law enforcement in 1991, and has served as a Criminal Investigator since 1994. In the course of his career, Mr. Adler was proud to serve as a First Responder at Ground Zero on September 11th, 2001. He is also a certified tactical instructor and continues to train active law enforcement officers in defensive tactics, firearms, impact weapons and less-lethal defense systems, and physical fitness. He has his undergraduate degree in Business Administration, and his Masters degree in Human Resource Administration, with an emphasis in law enforcement.