

AR-15 and AK-47 Assault Pistols: Rifle Power in a Handgun

The gun industry is constantly engaged in efforts to create new product lines to sell to a shrinking consumer base.¹ In recent years, the industry has aggressively marketed AR-15 and AK-47 assault *pistols* that use common rifle ammunition such as 5.56 x 45mm (a common round used in AR-type assault rifles) and 7.62 x 39 (a common round used in AK-type assault rifles).

As a 2011 article published in *Handguns* magazine titled "AR Pistols: The Hugely Popular Rifle Platform Makes a Pretty Cool Handgun as Well" noted, "There's no doubt in the last few years that AR pistols have become extremely popular." That same year, *Tactical Weapons* magazine offered a review of the Draco AK-47 assault pistol. After detailing its military pedigree and suitability as a PDW (Personal Defense Weapon), the article approvingly noted that the "result is a 5.5 pound pistol with an overall length of 20.5 inches that offers full rifle power in a very compact package—A desirable combination for many!"

¹ For a detailed history of gun ownership in the United States as reported by the General Social Survey (GSS) conducted by the National Opinion Research Center (NORC) at the University of Chicago, see the April 2011 Violence Policy Center report *A Shrinking Minority: The Continuing Decline of Gun Ownership in America* (http://www.vpc.org/studies/ownership.pdf). According to the NORC data, in 2012 only 34.4 percent of U.S. households had a gun in the home.

² "AR Pistols: The Hugely Popular Rifle Platform Makes a Pretty Cool Handgun as Well," *Handguns*, June/July, 2011.

³ "Century Arms' Draco AK 7.62 PDW," *Tactical Weapons*, March 2011. In a segment of his cable television show *Ted Nugent Spirit of the Wild* titled "Uncle Ted's Favorite Guns," National Rifle Association Board Member Ted Nugent cheerfully acknowledged the military pedigree and lauded the rifle power of the Century International Arms Centurion 39 AK-47 pistol: "This is a variation of what they lovingly refer to as the Kalashnikov, the AK-47....This is a handgun version, almost what you see the bad guys in Afghanistan use...7.62 x 39, out of a little, short, rifle

These pistols have emerged as a new and growing trend. They combine the firepower of a rifle, able to accept high-capacity ammunition magazines designed for assault rifles, with the increased concealability of a handgun. As one poster on www.SurvivalistBoards.com wrote about the Draco AK-47 pistol, "It can penetrate body armor and holds 30 + rounds..... I figure this is a lot of firepower in a legal and small package." As a result, these weapons raise the question as to what degree they pose a special threat to law enforcement and the bullet-resistant vests that they rely upon as well as public safety in general.

A recent survey by the Police Executive Research Forum (PERF) found that more than 92 percent of officers reported that they are required to wear body armor, either "at all times when on duty" (57 percent) or "at most times when on duty" (35 percent). A similar survey in 2009 found that only 59 percent of the responding agencies required their officers to wear body armor at least some of the time they were on duty. These higher percentages reflect the understanding of law enforcement agencies that body armor is an essential element in protecting the lives of police officers. As a result, according to Federal Bureau of Investigation data, since 1987 only one law enforcement officer has been killed by handgun ammunition that penetrated body armor.⁵

Directly relevant to this fact is another point made by PERF, that "large majorities of officers—between 89 and 99 percent—understand that body armor...generally cannot be relied upon to stop rifle bullets...."

basically, but it's a handgun, this is a handgun." See www.youtube.com/watch?v = B9DdiGu6ZYI, YouTube upload date March 2, 2011.

⁴ In files of Violence Policy Center, downloaded July 16, 2012.

⁵ Law Enforcement Officers Killed & Assaulted, Federal Bureau of Investigation, 2013, 2004, 1996.

⁶ Bruce Taylor, et al., *A Practitioner's Guide to the 2011 National Body Armor Survey of Law Enforcement Officers*, Report Submitted to the National Institute of Justice, November 1, 2012, pp. 4, 9-10.

With the growth of this new generation of pistols, it is only a matter of time before officers will inevitably face suspects armed with concealable assault pistols that fire rifle rounds capable of penetrating the body armor most officers wear every day for protection.

On February 13, 2015, the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) sought comment on a proposed "ATF Framework for Determining Whether Certain Projectiles are 'Primarily Intended for Sporting Purposes'" within the meaning of the federal ban on armor-piercing ammunition. ATF proposes treating certain types of 5.56 x 45mm ammunition as banned armor-piercing handgun ammunition and withdrawing an exemption previously granted to the M855 5.56 x 45mm cartridge because it fell within the "sporting purposes" exemption to the ban. In the proposal, ATF explains:

Specifically, 5.56mm projectiles loaded into the SS109 and M855 cartridges are commonly used in both 'AR-type' rifles and 'AR-type' handguns. The AR platform is the semi-automatic version of the M16 machinegun originally designed for and used by the military. The AR-based handguns and rifles utilize the same magazines and share identical receivers. These AR-type handguns were not commercially available when the armor piercing ammunition exemption was granted in 1986. To ensure consistency, upon final implementation of the sporting purpose framework outlined above, ATF must withdraw the exemptions for 5.56 mm 'green tip' ammunition, including both the SS109 and M855 cartridges.⁷

⁷ "ATF Framework for Determining Whether Certain Projectiles are 'Primarily Intended for Sporting Purposes'" Within the Meaning of 18 U.S.C. 921(a)(17)(C), pp. 14-15. On April 7, 2014, ATF classified Russian-made 7N6 5.45 x 39 ammunition as banned "armor piercing ammunition," and therefore not importable, because it could be used in a commercially available handgun. See http://www.atf.gov/press/releases/2014/04/040714-special-advisory-test-examination-and-classification-7n6-545x39-ammunition.html.

According to ATF, the purpose of the new proposal is to create a framework to evaluate whether a particular cartridge is eligible for exemption from the armorpiercing ammunition ban as "primarily intended for sporting purposes." ATF says that it has received 30 requests for exemptions.

In response to the proposed ATF rule, the gun industry trade association, the Newtown, Connecticut-based National Shooting Sports Foundation (NSSF), urged "all industry employees, target shooters and gun owners" to "contact your Member of Congress AND the ATF to oppose this unnecessary ban...." On its site, NSSF acknowledges the industry's marketing efforts of AR-15 assault pistols, noting "the increasing prevalence of handgun versions of rifle platforms..." yet takes no responsibility for the armor-piercing threat this new generation of pistols represents, instead portraying it as a plot by ATF to "now ban the widely used M855 and SS109 ammunition."8 In a posting on its website, the National Rifle Association's lobbying arm, the Institute for Legislative Action (NRA-ILA) makes no mention of the fact that the proposed ban was in response to such pistols, stating that the proposed rule is "a move clearly intended by the Obama Administration to suppress the acquisition, ownership and use of AR-15s and other .223 caliber general purpose rifles...."9 Yet, if the industry had not begun marketing these nextgeneration pistols, creating a new and lethal threat to law enforcement, the federal law regarding armor-piercing ammunition used in handguns would not have been applicable.

The gun industry knew that this new breed of pistol could trigger restrictions on specific types of ammunition that are considered armor-piercing when used in a handgun—but it moved ahead anyway, driven by the need to create new, militarized market categories in the face of declining household gun ownership. Now the gun industry and the National Rifle Association are attempting to rewrite history. Contrary to their assertions, the ATF proposed rule is not a "back door" attempt to limit the ammunition available for AR-15 rifles, but a response to a new threat created by the industry itself.

⁸ See http://www.nssfblog.com/oppose-atf-556-m855-ball-ammunition-ban/.

⁹ See https://www.nraila.org/articles/20150213/batfe-to-ban-common-ar-15-ammo.

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Included as an appendix to this report are examples of AR-15 and AK-47 pistols being marketed in the United States. While the examples offered, taken from industry catalog copy and websites, are by no means comprehensive, they make clear the widespread availability of such weapons.



American Spirit 7.5 Side Charging AR Pistol



American Tactical OMNI Hybrid MAXX AR 5.56 Pistol



Bushmaster XM-15 AR Pistol

Century International Arms

Delray Beach, FL



Century International Arms Centurion 39 AK Pistol

Century International Arms

Delray Beach, FL



Century International Arms Mini-Draco AK Pistol with Drum Ammunition Magazine

Daniel Defense

Black Creek, GA

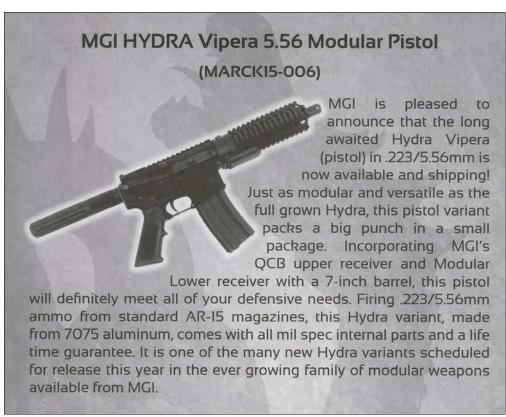


Daniel Defense MK18 AR Pistol (portion of pistol at right not shown)

DoubleStar Corporation Winchester, KY



DoubleStar Corporation AR Pistol



MGI Hydra Vipera 5.56 Modular AR Pistol



Olympic Arms OA-93 AR Pistol

Robinson Armament Company

North Salt Lake, UT



Robinson Armament Company XCR-L AR Pistol



Rock River Arms LAR-PDS AR Pistol

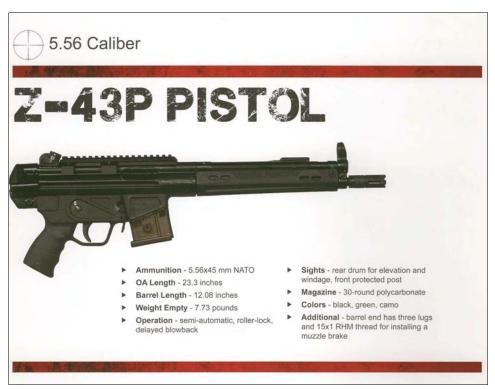


Sig Sauer P556 AR Pistol

Sturm, Ruger Prescott, AZ



Sturm, Ruger AR-556 AR Pistol



Zenith Firearms Z-43P AR Pistol