POINT BLANK

STRAIGHT TALK
ABOUT WHAT YOU
CAN DO TO
PRESERVE YOUR
RIGHT TO KEEP AND
BEAR ARMS



March 2007 Volume XXXII No. 3

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CITIZENS COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS

(a non-profit corporation)

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ENCOURAGE SENATE SUPPORT FOR CCW BILL, URGES CCRKBA

"Now that Sen. John Thune of South Dakota has introduced a bill to provide a national standard in accordance with which non-residents of a State may carry concealed firearms in the State, we urge CCRKBA Members and Supporters and all freedom-loving Americans to contact both of their own U.S. Senators and urge them to cosponsor the measure if they have not already down so," John M. Snyder, CCRKBA Public Affairs Director, stated.

S. 388 would provide that a law-abiding citizen who is carrying a valid license or permit which is issued by a State and which permits a person to carry a concealed firearm, other than a machinegun or destructive device, may carry in another State a concealed firearm, other than a machinegun or destructive device, that has been shipped or transported in interstate commerce.

Under S. 388, if such other State issues licenses or permits to carry concealed firearms, the person may carry a concealed firearm in the State under the same restrictions which apply in the carrying of a concealed firearm by a person to whom the State has issued such a license or permit.

If such other State does not issue licenses or permits to carry concealed firearms, the person may not, in the State, carry a firearm in a police station, in a public detention facility, in a courthouse, in a public polling place, at a meeting of a State, county or municipal governing body, in a school, at a professional or school athletic event not related to firearms, in a portion of an establishment licensed by the State to dispense alcoholic beverages for consumption on the premises, or inside the sterile or passenger area of an airport, except to the extent expressly permitted by State law.

Sen. Thune already has lined up a substantial bipartisan number of cosponsors from different sections of the country.

These include Sens. Max Baucus (MT), Richard Burr (NC), Tom Coburn (OK), John Cornyn (TX), Larry E. Craig (ID), Mike Crapo (ID), Elizabeth Dole (NC), John Ensign (NV), Michael B. Enzi (WY), Chuck Grassley (IA), Orrin G. Hatch (UT), James M. Inhofe (OK), Trent Lott (MS), Mel Martinez (FL), E. Benjamin Nelson (NE), Pat Roberts (KS), Gordon H. Smith (OR), Ted Stevens (AK), John E. Sununu (NH) and David Vitter (LA).

"I believe that law-abiding citizens have a right to arm themselves in order to defend themselves against the threat of violence," said Sen. Thune. "My bill would make it possible for every state's concealed weapons permit to be recognized by all other states, much like states recognize other state driver's licenses...This is a commonsense bill that will strengthen public safety, and I will work hard to gain support to pass this legislation in Congress to help guarantee our freedom to bear arms."

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SUN HITS TIMES ON GUN RIGHTS

In a developing journalistic battle over the right to keep and bear arms *The New York Sun* is attacking the antigun position advanced by *The New York Times*, two of the major daily newspapers published in what has been called the financial capital of the United States.

What prompted the current controversy was an attack in the *Times* on Florida's liberalized concealed carry laws. The *Times* condemned the "corrupt and cowardly" Florida state legislators who would not repeal "these lethal threats" caused by Florida's concealed carry system.

"Our first thought" responded the *Sun*, "was that Floridians are grown-

ups possessed of rational minds and capable of making their own laws without the *Times'* haranguing. This is what Floridians have done over the last two decades by repeatedly electing representatives who believe Americans have a right, vouchsafed in the Second Amendment of the Constitution, to keep and bear arms. It's a right that has been called the palladium of American liberty. But about what was the *Times* speaking with the claim that Florida's concealed carry laws are 'lethal' and 'gruesome'?

"Since the Jack Hagler Self Defense Act went into effect in 1987, crime in Florida has gone down by almost every measure there is. According to statistics provided by the Florida Department of Law Enforcement, firearm murders in Florida between 1987 and 2005 dropped in real terms to 521 from 697. Expressed as the number of firearm murders per 100,000 persons, the drop is even more dramatic, to 2.9 from 5.8. That's a change of 50 percent. The drop in violent crime overall is less precipitous but equally steady, including drops in the rates of murder, aggravated assault, robbery and sexual assault."

POINT BLANK

"Straight talk about what you can do to preserve your right to keep and bear arms."

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CCRKBA HITS ANTI-GUN BILLS

"The fact that a number of anti-gun Representatives are proposing these and other anti-gun owner bills is one indication that the gun control lobby is on the move in Washington, D.C.," said John M. Snyder, CCRKBA Public Affairs Director. "We all must do all we can to protect our Second Amendment freedoms."

These objectionable bills include H.R. 203, by Rep. Steven R. Rothman of New Jersey, the proposed Domestic Violence Victim Protection Act, to amend Federal crime grant programs relating to domestic violence to encourage States and localities to implement gun confiscation policies, reform stalking laws, create integrated domestic violence courts, and for other purposes; H.R. 256, by Rep. Sheila Jackson Lee of Texas, the proposed Child Gun Safety and Gun Access Prevention Act of 2007, to supposedly increase "youth gun

safety by raising the age of handgun eligibility and prohibiting youth from possessing semiautomatic assault weapons;" and H.R. 1022, by Rep. Carolyn McCarthy of New York, to reauthorize the assault weapons ban.

They have been referred to the House Judiciary Committee, with anti-gun Congressman John Conyers of Michigan as Chairman.

In addition, Rep. Edolphus Towns of New York introduced H.R. 428, to require the Consumer Product Safety Commission to ban toys which in size, shape or overall appearance resemble real handguns. It was referred to the House Committee on Energy and Commerce, under the chairmanship of Congressman John D. Dingell of Michigan.

CCRKBA Members who oppose these proposals could inform their Representative of their position. March 2007 Page 3

CCRKBA HITS SCHUMER ATTACK ON GUN RIGHTS

Point Blank readers: Be warned!

Sen. Chuck Schumer of New York is the author of a legislative proposal which targets American business as well as the Second Amendment civil right of law-abiding American citizens to keep and bear arms.

It's a real danger because Schumer now is one of the most influential members of the United States Senate. He's been chosen by his fellow majority Senate Democrats as Vice Chair of the Democratic Conference, making him the third-highest Democrat in that body.

It's a Trojan horse because it's promoted as a crime-fighting gift to the country. BUT it contains within itself elements designed to destroy the right of personal self-defense as well as the ability of businesses to operate without fear of harassing and debilitating third-party lawsuits.

Schumer's monstrosity, introduced on the very first day of the current, 110th, Congress, would allow city governments to use federal criminal statistical data in third party civil lawsuits against private businesses.

There is a dangerous theory underlying the proposal. Under this theory, a business may be held liable in civil court for crimes perpetrated by a first, second or third purchaser or thief of a perfectly legal product. Although Schumer's proposal is directed specifically against firearms manufacturers, distributors and dealers, the theory underlying the proposal, if generally accepted, could be used against any legitimate product of any legitimate industry. As such, the Schumer proposal is a dagger aimed at the heart of American business.

Schumer and company argue that his proposal will help city gov-

ernments pursue lawsuits against companies that cities allege follow practices designed to allow acquisition of firearms by people who are prevented by law from having them. In reality the measure would allow cities to target companies based on the determination of the relevant city officials. Companies, in other words, would be at the mercy of local politicians and political interests.

The Schumer bill, S. 77, would provide that, "upon receipt of a written request from a State or local government or law enforcement agency for information contained in the Firearms Trace System database maintained by the National Trace Center of the Bureau of Alcohol, Tobacco, Firearms and Explosives (or any successor database or agency), the Attorney General shall provide all data in such database that is responsive to such request for information."

Under current federal law, this data is reserved specifically for criminal law enforcement investigation and prosecution purposes. The data is maintained in order to facilitate such investigation and prosecution. It is NOT maintained to help out gun grabbing mayors who want to sue the daylights out of perfectly innocent firearm dealers whose legally sold products happen to end up in the hands of violent criminals.

Schumer's proposal, which he calls the "Anti-Gun Trafficking Penalties Act of 2007," if enacted into law, would enable local officials to use the currently secure information in the Firearms Trace System database to terrorize the firearms industry through lawsuits and the threat of lawsuits. It would enable

gun-hating interests to force the firearms industry to close up shop. The result of this would be that tens of millions of law-abiding American citizens would not be able to acquire firearms through dealers. Thus, for all practical purposes, the individual Second Amendment civil right of law-abiding American citizens to keep and bear arms would be seriously undermined, if not eliminated.

Since ordinary people would not be able to acquire firearms, they would not be able to get guns to defend themselves and their loved ones against violent criminals. Ultimately, then, the Schumer bill would undermine the right of self-defense and, in truth, the very right to life itself.

There already are a number of gungrabbing mayors around the country just chomping at the bit for passage of S. 77, which has been referred to the Senate Judiciary Committee.

Led by Schumer's fellow New Yorker, Mayor Michael Bloomberg, and Boston Mayor Thomas Menino, over 150 mayoral gun grabbers throughout the country are promoting the release of the data so they can use it in city lawsuits against the gun industry.

The issue really is joined, and it is one which brings together both American industry and American Second Amendment civil rightists against the New York Schumer-Bloomberg axis.

You readers of *Point Blank* could contact both of your own U.S. Senators and urge them to do whatever they can to prevent Schumer's monstrosity, S. 77, the so-called proposed "Anti-Gun Trafficking Penalties Act of 2007" from reaching the Senate floor.

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CCRKBA SEES VICTORY IN U.S. LETTER TO BLOOMBERG

CCRKBA Chairman Alan M. Gottlieb said a letter to the office of New York Mayor Michael Bloomberg had recently been sent from the U.S. Department of Justice scolding the mayor's infamous gun sting operation and advising that Bloomberg's administration could face "potential legal liabilities" over such stings was a "significant victory" against the Big Apple mayor's anti-gun antics.

Earlier, Gottlieb said he was encouraged by a response to a letter he sent U.S. Attorney General Alberto Gonzales requesting an investigation of New York City Mayor Michael Bloomberg's rogue "sting" operation against gun retailers in five states.

Gottlieb reported he received a letter from W. Harry Ford, Assistant Director for Public and Government Affairs of the Bureau of Alcohol, Tobacco, Firearms and Explosives, confirming that the agency "is investigating the matter in order to determine if violations of federal firearms laws occurred." Ford did not offer details in his letter, explaining to Gottlieb that the agency cannot comment on "an open investigation."

Previous CCRKBA joined with over two dozen national and regional groups in calling for a federal investigation of Bloomberg.

In a letter to Michael J. Sullivan, Acting Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives, the 27 organizations, through the auspices of the Liberty Coalition, called upon BATFE "to immediately investigate and prosecute New York City Mayor Michael Bloomberg and his associates for conspiring to violate the federal Gun Control Act of 1968 as amended by the Brady Act of 1995."

"For some time now," stated John M. Snyder, CCRKBA Public Affairs Director, "the Manhattan gun grabber has been stumping the country campaigning for laws and regulations to undermine if not eliminate the Second Amendment civil right of tens of millions of law-abiding American citizens to keep and bear arms."

According to the letter, "it is well known that Mayor Bloomberg has organized a multi-state vigilante-style campaign against federal gun dealers. Bloomberg's gambit is simple—without any federal or state law enforcement authorization, he sends people to federal firearms dealers to break federal law by providing false information on the federal ATF Form 4473 firearm transfer form, and then purchasing guns for persons prohibited by law from taking possession of guns (a so called 'straw sale'). Bloomberg then files a civil lawsuit against the dealer in a New York court while using a covertly made video tape of the transaction to blackmail the dealer into 'settling' on terms where the City of New York's 'Special Master' will supplant ATF supervision of the dealer and peruse Americans' confidential federal gun transfer records at will...

"Bloomberg chortles that the ATF is 'asleep at the switch' out of one side of his mouth, while his criminal justice coordinator John Feinblatt declares that New York City won't turn over the evidence, which includes videotapes of gun dealers allowing so-called straw purchases of guns, until the ATF signs an evidence-sharing agreement that would prohibit the agency from 'publicly disclosing evidence without notice and consent from the city."

CCRKBA and the others affirm that "Congress' charter to the ATF to

regulate federal gun dealers and interstate gun sales did not come with a command for the agency to step aside when a wealthy New York City mayor wants to break federal criminal statutes and impose New York City style gun control across the nation as a publicity stunt. Moreover, America's Second Amendment rights are at risk because the ATF has not done its job to intervene in Bloomberg's travesty of justice."

They tell Director Sullivan that "the ball is in your court. The ATF needs to take action to show that no one is above the law, not even the Mayor of New York."

In addition to CCRKBA, national groups signing the letter are the Second Amendment Foundation, American Policy Center, Center for Financial Privacy and Human Rights, Citizen Outreach Project, Doctors for Open Government, Firearm Owners Against Crime, Gun Owners of America, KeepAnd-BearArms.com, Liberty Coalition. net, OpenCarry.org, and Second Amendment Sisters.

Regional groups include Allegheny County Sportsmen's League, Clarion Gun Owners, Lehigh Valley Firearms Coalition, Pennsylvania Rifle and Pistol Association, FairfaxCountyPrivacyCouncil.org, Virginia Citizens Defense League, Virginia Gun Owners Coalition, Grass Roots North Carolina, GeorgiaCarry.org, IL Carry Gun Owners Association, Kentucky Coalition to Carry Concealed, Ohioans for Concealed Carry, SecondAmendment-Club.org, Texas Citizens Defense League, and West Virginia Citizens Defense League.

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FBI STUDY: GUN LAWS IGNORED BY COP KILLERS

For more than two months, a damning report on a five-year study by the Federal Bureau of Investigation about how cop-killing criminals ignore gun laws and where they get their guns has languished in the shadows.

"The public has a right to know the contents of this report, which was revealed to the International Association of Chiefs of Police last year," said CCRKBA Executive Director Joe Waldron. "According to the Force Science News, research focused on 40 incidents involving assaults or deadly attacks on police officers, in which all but one of the guns involved had been obtained illegally, and none were obtained from gun shows."

The study is called "Violent En-

counters: A Study of Felonious Assaults on Our Nation's Law Enforcement Officers." Waldron called it a 'smoking gun.' Anti-gun politicians and police chiefs do not want the public to know as they campaign against the so-called 'gun show' loophole," he said.

The newsletter quotes Ed Davis, who told the IACP that none of these criminals who attacked police officers was "hindered by any law – federal, sate or local – that has ever been established to prevent gun ownership. They just laughed at gun laws." The Force Science News is published by the Force Science Research Center, a non-profit institution based at Minnesota State University in Mankato. The newsletter also stated, "In contrast to media myth, none of the

firearms in the study was obtained from gun shows."

"This is a devastating revelation," Waldron said, "and while Mr. Davis should be applauded for telling the IACP that criminals ignore gun laws, we're wondering why the IACP has been quiet about this, and why the mainstream press never reported this, and probably never will.

"Force Science News calls the gun show loophole a 'media myth'," Waldron said, "and that's what gun rights activists have been saying for years. It's time for the IACP leadership to acknowledge that gun laws don't stop criminals, that they only restrict the rights of law-abiding citizens, and that gun shows are not the 'arms bazaars for criminals' as they have been portrayed."

CITIZEN ACTION PROJECT

Shortly after the 110th Congress convened in January, anti-gun Congresswoman Carolyn McCarthy (D-NY) filed H.R. 297, the "NICS Improvement Act of 2007."

McCarthy's "improvements" to the NICS system would add tens or hundreds of thousands of gun denial records to the existing NICS data base. In many cases, these records are old and incomplete, and would result in an unjustified denial of a firearm purchase. Keep in mind that under NICS, the burden of proof falls on the citizen to show that he or she was not convicted of the crime alleged in the official record.

An arrest record for some disqualifying offense would result in a denial, despite the fact that there is no disposition of the arrest recorded. Did the case go to trail and was the individual convicted? Were the charges dismissed? The age of the record means nothing to NICS. Many jurisdictions delete misdemeanor records after several years have elapsed. Trying to prove you weren't convicted is like trying to prove a negative.

Another area of concern with H.R. 297 is its expanded access to mental health records. Most of these records are protected by state privacy laws, although the federal government is pushing to access these records for gunpurchase purposes. The NICS system already contains federal data of individuals with a record of mental health issues, one example being the Veterans Administration, which turned over to the NICS mental health records of nearly 100,000 veterans.

H.R. 297 also requires the Department of Homeland Security to provide disqualifying information it might have in its data base to the NICS system. In many cases, the Homeland Security data base contains unsubstantiated information. No one knows how you get on the list, and no one knows how you get off the list.

You need to call your Representative and ask him or her to oppose this intrusive legislation. E-mail contact information for your federal elected officials can be found in the left margin at www.ccrkba.org under "Contact your Senators" and "Contact your Rep." Their district office telephone numbers can be found in the "blue pages" government directory in the front of your telephone book. You can also call the Congressional Hotline at (202) 224-3121.

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TENNESSEE LAW PROFESSOR THE CCRKBA GUN DEFENDER

Glenn Harlan Reynolds, Beauchamp Brogan Distinguished Professor of Law at the University of Tennessee, is the CCRKBA Gun Rights Defender of the Month for March.

In nominating Reynolds for the Award, John M. Snyder, CCRKBA Public Affairs Director, noted that, "it is of great significance when a scholar of distinction, such as Glenn, is able also to communicate his learned defense of the right to keep and bear arms in a down to earth manner through more popular writing. This, however, is what this professor has done, most recently in a column which appeared in mid-January in The New York Times. We commend him for his efforts, as well as for his evident success in being able to promulgate his defense of American gun rights. He certainly is most worthy of receiving the CCRKBA Gun Rights Defender of the Month Award for March."

In his *Times* column, "A Rifle in Every Pot," Professor Reynolds reflected on community ordinances, such as those in Kennesaw, Georgia and, most recently, in Greenleaf, Idaho.

He pointed out, for instance, that "Greenleaf is following in the footsteps of Kennesaw, which in 1982 passed a mandatory gun ownership law in response to a handgun ban passed in Morton Grove, Illinois. Kennesaw's crime dropped sharply, while Morton Grove's did not.

"To some degree, this is rational. Criminals, unsurprisingly, would rather break into a house where they aren't at risk of being shot. As David Kopel noted in a 2001 article in *The Arizona Law Review*, burglars report that they try to avoid homes where armed residents are likely to be present. We see this phenomenon internationally, too, with the United States having a lower proportion of 'hot' burglaries – break-ins where the burglars know the home to be occupied – than countries with restrictive gun laws."

Reynolds wrote also that, "likewise, in the event of disasters that leave law enforcement overwhelmed, armed citizens can play an important role in stanching crime. Armed neighborhood watches deterred looting in parts of Houston and New Orleans in the aftermath of Hurricanes Katrina and Rita."

Experts, Reynolds admitted, "don't think the Kennesaw ordinance, which has never actually been enforced, did much to change gun ownership rates among Kennesaw residents. And, given that Greenleaf's mayor has estimated that 80 percent of the town's residents already own guns, the new ordinance can't make that much of a difference. But criminals are likely to suspect that towns with laws like these on the books will be unsympathetic to malefactors in general, and to conclude that they will do better elsewhere.

"To the extent that's true, we're likely to see other communities adopting similar laws so that criminals won't see them as attractive alternatives. The result may be a different kind of 'gun control.'"

In addition to his professorial responsibilities, Glenn is the author of the blog Instapundit and of *An Army of Davids: How Markets and Technology are Empowering Ordinary People to Take*

on Big Government, Big Media and Other Goliaths.

Reynolds received his Bachelor of Arts in 1982 from the University of Tennessee and his Juris Doctor in 1985 from Yale University. In his instructional career, he specializes in Administrative Law, Constitutional Law, Space Law and Internet Law, and the interconnection between Law, Science and Technology.

Considered one of the most prolific scholars on the University of Tennessee faculty, Professor Reynolds' work has appeared in the Columbia Law Review, Virginia Law Review, University of Pennsylvania Law Review, Wisconsin Law Review, Harvard Journal of Law and Technology, Law and Policy in International Business, Jurimetrics, and the High Technology Law Journal.

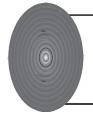
He also has written in *The Washington Post, The Washington Times, Los Angeles Times* and *The Wall Street Journal.* He is a contributing editor to the TechCentralStation.com website and writes a regular column for the FoxNews.com website.

Reynolds has testified before congressional committees on space law, international trade, and domestic terrorism. He has been executive chairman of the National Space Society and a member of the White House Advisory Panel on Space Policy.

A member of the University of Tennessee faculty since 1989, Professor Reynolds received the Harold C. Warner Outstanding Faculty Scholarship Award in 1991, and the W. Allen Separk Outstanding Faculty Scholarship Award in 1998.

He produces, writes for, or performs with a number of bands, including The Nebraska Guitar Militia.

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QUICK SHOTS



The highly touted "summit" of an anti-gun mayors' association in late January in Washington, D.C. appeared to be all rhetoric and no real solutions to violent crime in America, according to CCRKBA Chairman Alan M. Gottlieb. "Whether you're talking about a desire of anti-gun mayors to get their hands on confidential generic gun tracing data to fuel harassment lawsuits of gun manufacturers and dealers, or a so-called 'sportsmen's group,' claiming to represent hunters and shooters about the gun issue," said Gottlieb, "you still have a gathering from which the nation's leading gun rights organizations and authorities were excluded...For Ray Schoenke, President of the American Hunters and Shooters Association, a rather thinly disguised gun control group camouflaged in hunter orange, to claim it is a gun rights organization is an insult to the intelligence of gun owners and activists across the map."



Jurors in Kokomo, Indiana early last month acquitted a defendant who claimed he acted in self-defense in a shootout at a busy commercial area that killed a man. The jury found Willie Winston, 60, not guilty of murder in the death of 24-year-old DeMarco Moore. Winston took the stand and said he had no choice but to shoot after Moore came at him and his family with a gun. Prosecutors said Winston exchanged gunfire with Moore on January 27, 2006 outside a fast-food restaurant near Markland

Mall on the city's east side. Moore died the next day at a hospital in the city about 50 miles north of Indianapolis. The jury also acquitted Winston on felony charges of possession of an altered handgun and criminal recklessness, but convicted him of a misdemeanor charge of carrying a handgun without a permit, which he did not dispute.



CCRKBA recently applauded the decision of Idaho Falls, Idaho Mayor Jared Fuhriman, Anchorage Mayor Mark Begich and Rio Rancho, Nevada Mayor Kevin Jackson to quit an anti-gun mayors' coalition created last year by New York Mayor Michael Bloomberg as "reasonable steps that other mayors should follow." CCRKBA Chairman Alan M. Gottlieb encouraged other mayors who may have been coerced or lulled into Bloomberg's rogue alliance to also drop out. "According to one published report, Mayor Fuhriman left Bloomberg's coalition because he sensed the group has an agenda aimed at stripping away the gun rights of law-abiding citizens," Gottlieb said. "It is not surprising that mayors from cities in Alaska, Idaho and New Mexico, where common sense still trumps political correctness, were able to figure this out while so many others have been bamboozled."



"With Democrats running Congress for the first time since 1994, gun control advocates have more

friends in high places than they have had in 12 years," writes Brian Friel in the prestigious National Journal...'The primary legislative objective of the entire gun-violenceprevention movement is removing the trace-data limits,' said Kristen Rand, legislative director for the Violence Policy Center. She noted that trace data helped policy makers target 'Saturday night specials' for legislative bans, and helped them to identify the guns included in the ban on semiautomatic weapons. 'It's just a gold mine of information for advocates trying to effectively target policy proposals."



"Conduct this experiment," suggests Mark Valentine of Ridgeland, Mississippi. "Lay a gun on the table and see who it kills. No one. A person must pull the trigger. All of the gun laws in the world will not stop crime. The only way you can stop the crime is to make the punishment so unbearable that the thugs will think twice before committing a crime. Oh, no, that is not politically correct, and neither am I."



The right to bear arms is "guaranteed by the Mexican Constitution (Article 10)," notes Allan Wall of www.mexidata.info. "But Mexican weapons' laws are more restrictive than in the United States. Needless to say, that hasn't prevented Mexican criminals from bearing arms, including rocket launchers and grenades, as recent news reports demonstrate."

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The Gottlieb-Tartaro Report:

Here's a monthly newsletter that gives you inside gun-rights information from the desks of active principals in the battle for the right to keep and bear arms. The GOT-TLIEB-TARTARO REPORT is headed by Alan M. Gottlieb – chairman of the Citizens Committee for the Right to Keep and Bear Arms – and Joseph P. Tartaro – editor of Gun Week and president of the Second Amendment Foundation. This monthly newsletter is full of inside gun rights news straight from the desks of the experts. Not available on newsstands. Regular subscription \$60 per year.

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City	STZip
Email	Tel