



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

CCRKBA DEMANDS INVESTIGATION OF GUN SEIZURES



**October
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IN THIS ISSUE

CCRKBA Demands Investigation	1
Criminals Get Illegal Guns	2
Proposed SF Ban Is a Bad Idea	3
Lockyer Shelves Ammo Plan	3
Gun Show Harrassment	4
Border Control Not Gun Control	5
Citizen Action Project	5
Defender of the Month	6
Quick Shots	7

Shortly after Hurricane Katrina struck New Orleans, Louisiana and other locations in states bordering the Gulf of Mexico news reports of gun seizures from law-abiding residents of the Big Easy began to appear.

Following low-key inquiries that were met with stony silence and official indifference, CCRKBA called for a federal investigation into these reports, and demanded that officials in New Orleans immediately account for all confiscated firearms. CCRKBA's sister organization, Second Amendment Foundation along with the National Rifle Association were granted a Temporary Restraining Order and a Preliminary injunction September 23, 2005 to stop these civil rights infringements and order the return of illegally-confiscated firearms.

CCRKBA Chairman Alan M. Gottlieb stated, "I want to know under just what authority New Orleans officials are confiscating lawfully-owned firearms from law-abiding citizens."

"Where does it say that the state and federal Constitution can be nullified, even briefly, simply because of a hurricane? In every other natural disaster this country has ever faced, people retain their civil rights, including the right of self-defense," he continued.

Gun rights activists have been outraged by a film clip showing a police officer tackling an elderly woman who was armed, in her own home, and later removing her from the premises.

"The statements by local officials, particularly Police Superintendent P. Edwin Compass III, that nobody but police will be allowed to have guns, demands a full and complete explanation to the American public. Visiting police and National Guardsmen are in New Orleans to help hurricane victims, and the nation is grateful beyond words. You don't help people by violating their civil rights or the public trust, Gottlieb continued."

Gottlieb added that, "there are reports that residents who refuse to leave are being disarmed, anyway, leaving them to the mercy of any lingering looters and thugs. In the anarchy that reigned in the city for days, these armed citizens provided the only protection for their families, businesses and neighborhoods. The people responsible for making that decision should be immediately disciplined and relieved of command. Visiting officers from other jurisdictions involved in these confiscations should be immediately sent home.

"New Orleans is still part of the United States, not a police state."

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CRIMINALS GET GUNS FROM ILLEGAL SOURCES

An article appearing recently in Police Times magazine, published by the American Federation of Police and Concerned Citizens, highlights an important U.S. Justice Department study showing a high percentage of criminals obtained their firearms from illegal sources.

Commenting on the article, John Michael Snyder, CCRKBA Public Affairs Director, said, "it is most significant as it undercuts the position of those who would eliminate or curtail gun shows with the false argument that such events are major sources of criminal guns. In fact, less than one percent, of the inmates in state prisons said they obtained their guns at a gun show."

As the author of the article, Jim Kouri, Vice President of the National Association of Chiefs of Police points out, "the study refutes the conventional wisdom that guns used in criminal acts are purchased at retail stores or gun shows."

Kouri notes also that, "95 percent of U.S. police commanders and sheriffs believe most criminals obtain their firearms from illegal sources, according to a survey released by the National Association of Chiefs of Police."

About 18 percent of state prisoners and 15 percent of federal prisoners reported that they were armed when they committed the offense for which they were imprisoned, according to the Justice Department's Bureau of Criminal Statistics.

In the interviews, an estimated nine percent of state prisoners and two percent of federal prisoners reported that they fired their weapon during the commission of a crime.

Interviewers obtained the data from a nationally representative

sample of more than 18,000 state and federal prisoners, the largest survey of prison inmates sponsored by the federal government.

Among those who carried a firearm during the offense for which they were sent to prison, about eight percent of the state and federal prisoners carried a military-style, semiautomatic firearm. These guns included the UZI, Tec-9, and MAC-10 handguns, the AR-15 and AK-47 rifles and the so-called "StreetSweeper" shotguns. As readers of Point Blank generally realize, possession of these models, which meet certain criteria, as contained in federal law can be unlawful. "The firearm most favored by the inmates was a handgun," wrote Kouri, "which was carried by more than 80 percent of the armed inmates."

Less than one percent, or 0.7 percent, of the inmates serving time in state prisons said they obtained their firearms at a gun show, one percent at a flea market, 3.8 percent at a pawn shop, 8.3 percent from a retail store, 39.2 percent on the street/illegal source, and 39.6 percent from "friends or family."

Kouri noted that the percentage of inmates who bought their guns from a retail store or pawnshop fell to 14 from 21 percent in 1991, when the last such survey was conducted. At the same time the percentage that obtained their firearms from family or friends rose from 34 percent in 1991 to nearly 40 percent.

Among inmates convicted of non-violent crimes, about eight percent of state prisoners and almost 12 percent of federal prisoners were carrying a firearm at the time of the property, drug or public order offense that resulted in their imprisonment. Of

those inmates who were convicted of a violent crime, 30 percent of state prisoners and 35 percent of federal prisoners reported they used or possessed a gun when they committed the offense.

Male offenders, younger offenders, offenders from racial and ethnic minority groups and offenders without prior convictions were the most likely to have been carrying a firearm at the time of the offense.



POINT BLANK

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

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PROPOSED GUN BAN IN SAN FRANCISCO A BAD IDEA

By Alan M. Gottlieb, Chairman, CCRKBA

Banning the lawful possession of anything has never stopped people from getting it, and it should be a no-brainer in the City of San Francisco, where citizens are well-educated and intelligent, that the proposed ban on the sale or manufacture of firearms and possession of handguns will not prevent criminals from arming themselves.

The idea is evidently so bad that at least one of the original sponsors of the measure, City Supervisor Michela Alioto-Pier, has withdrawn her name from the ballot measure. Why the others continue to push this measure makes little sense, because a similar ban more than 20 years ago was struck down by the courts after the Second Amendment Foundation sued the city and then-mayor Dianne Feinstein.

Gun bans are purely a form of making a social statement, because only a raving lunatic could ever seriously believe that disarming law-abiding citizens, thus making them even more vulnerable to crime, would ever remove guns from the hands of criminals. By their very nature, criminals ignore existing law, and legislation that would make their victims easier prey can only make these thugs happier.

In recent years, legislation passed in Sacramento has demonstrated beyond any doubt that the Democrat majority in California's Legislature wants the Golden State to be as unfriendly to firearm owners as possible. Alas, all the emotional rhetoric used to support such legislation has yet to prevent a single crime. Bans on semiautomatic rifles have not stopped gang bangers in the Los Angeles area. They haven't stopped crime in San Francisco, either, or

anywhere else in the state for that matter.

What have these laws accomplished? Only to make it nearly impossible for law-abiding citizens to fight back; to burden honest gun owners with onerous regulations designed more to trip them up on technicalities and discourage them from owning firearms than to curb crime.

Proponents of the San Francisco ban – now formally titled Proposition H – have evidently grown up in a fairy tale world where good intentions invariably trump real life tragedies.

Proposition H does not pass the smell test for a city with the history of San Francisco. While banning the sale, distribution, transfer and manufacture of all firearms and ammunition within the city, and banning the possession of all handguns, there is an exemption for "any City, state or federal employee carrying out the functions of his or her government employment, including but not limited to peace officers" as defined by the California Penal Code.

Translation: Police and a selection of other elites can have handguns in a city where the citizens are disarmed. For generations, the good citizens of San Francisco have created an image and lifestyle diametrically opposed to the concept of a police state where only cops have guns, but now comes Proposition H, which literally creates a police state environment, and far too many people are acting like lemmings, rushing to dive over that precipice, into a political and social abyss.

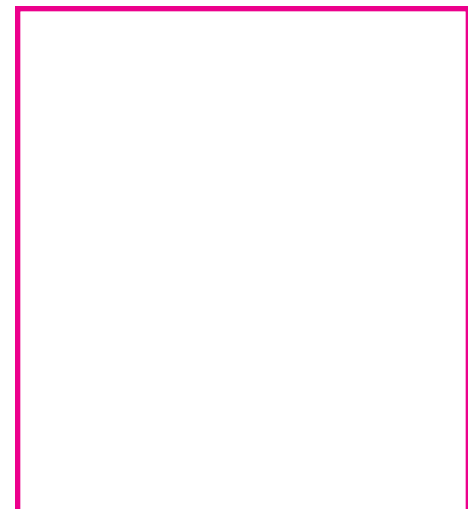
Perhaps the greatest fraud perpetrated on San Francisco, and the rest of the country, over the past several

years is the notion that gun violence is some kind of health epidemic. This is a colossal prevarication, as if gun crime might be removed by minor surgery on the Constitution, or an application of salve to reduce swelling and itching.

The preamble to Proposition H even alludes to a report on gun crime from the San Francisco Department of Public Health. This explains a great deal about the grossly wrong-headed approach to crime that the sponsors of Proposition H have adopted.

We're talking about crime here, not some malady that can be healed by rubbing it with an over-the-counter medication. Backers of this measure are confusing Proposition H with Preparation H.

Preparation H gives relief, but Proposition H will give San Franciscans nothing but grief from people who, it is painfully evident, have taken a rather anal approach to fighting violent crime. At this point in its history, the last thing San Francisco needs is another hemorrhoid.



CCRKBA BATTLES AGAINST PERSECUTION OF GUN SHOWS

For years, CCRKBA has been opposing legislative proposals to severely restrict gun show activity or to in effect eliminate such traditional events altogether from the American scene.

That is one of the reasons CCRKBA is so concerned about recent news reports of alleged attempts by certain law enforcement entities acting on their own initiative to intimidate law-abiding gun show participants.

The Cybercast News Service (CNSNews.com) reported on such alleged acts of intimidation in Virginia.

John Michael Snyder, CCRKBA Public Affairs Director, stated on the heels of the report that, "we congratulate and thank CNS for bringing this information to public attention. We are absolutely appalled that such attempted intimidation is taking place. If this is occurring on an ad hoc basis in connection with bureaucratic foul-up, we want it stopped immediately, and we want official action taken against responsible parties. If it reflects policy on the part of the law enforcement entities involved, we want responsible legislative oversight taken with regard to this policy and we want to see a reversal of such policy. We urge CCRKBA Members and Supporters to contact their federal and state legislative representatives and ask them to investigate such reports as part of their oversight responsibilities."

As Cybercast's Jeff Johnson reported, the federal agency that regulates U.S. gun dealers stands accused, along with at least three Virginia law enforcement agencies, of trying to shut down legal gun shows through alleged intimidation of gun buyers and sellers. The law enforcement organizations allegedly broke the law

by sharing gun buyers' information with members of the public.

Annette Gelles, owner of gun show sponsor Showmasters.us, told Cybercast News Service that at least 30 agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) along with nearly 500 Virginia State Police, Henrico County Police and Richmond City police officers were assigned to the BATFE operation targeting her gun show in mid-August at the Richmond International Raceway and Fairground Complex outside Richmond, the Virginia State Capital.

Gelles said four marked police cars were stationed at the main entrance to the parking lot and more than 50 marked and unlabeled but obvious law enforcement vehicles were positioned just outside the public entrance to the building. The officers' presence, Gelles said, was intended to intimidate her customers.

"It's just a persecution thing," Gelles said. "It's not really an attempt to solve crimes or stop them. It's their way of trying to get rid of gun shows. That's the only way you can explain that large a police presence at gun shows."

Gelles said BATFE Resident Agent in Charge Brian Swann told her that the officers were part of a "Virginia State Police, ATF task force" and represented the "same amount of force we've used in all the shows." The only difference in Gelles' case, Swann reportedly told her, was that the command post was established at the site of her gun show.

Virginia State Police (VSP) spokeswoman Corinne Geller told Cybercast News Service that her agency does participate in a task force with BATFE

and other Virginia law enforcement agencies.

Richmond Police spokeswoman Kirsten Nelson e-mailed Cybercast that, "the gun show was not in our jurisdiction so I have no record of our officers' participation."

Gelles said, "my own Richmond City Police officers in the operation that are there, that I hire for my security purposes, told me that they saw 14 (Richmond City Police officers) on Saturday in plain clothes."

Gelles said also "they did something called a residency check."

When gun dealers took the paperwork to the Virginia State Police on-site office to complete the background checks on prospective buyers, BATFE agents copied the names, home addresses and telephone numbers of the applicants.

Philip Van Cleave, President of the Virginia Citizens Defense League, said he has received numerous complaints alleging that as handgun buyers were waiting for their NICS checks to be completed, BATFE was secretly conducting the so-called "residency checks."

According to the complaints, officers were dispatched to the homes of prospective gun buyers to speak with family members, asking for example: "Gee, did you know your husband was going to a gun show today? Do you have his cell phone number? Did you know he was buying a gun?"

Van Cleave said that, "if people weren't home they, in some cases, went to neighbors" to ask the same questions.

CCRKBA SAYS CONTROL OUR BORDERS, NOT GUNS

CCRKBA has announced a campaign to flood the White House with letters from American gun owners demanding that government put its energies into controlling the borders, rather than guns owned by law-abiding citizens.

"We intend to tell President Bush that American gun owners are tired of taking the heat, and the rap, for increasing numbers of violent crimes committed by illegal aliens," said CCRKBA Chairman Alan M. Gottlieb. "We need to control our borders, not perfectly legal firearms. Our government should restrict seriously access to our country by people who have no right to be here, rather than restrict the gun rights of citizens."

The first wave of CCRKBA's campaign reached out to a quarter-million

gun owners in its first few days, followed by the distribution of 1.5 million bumper stickers, bearing the message "Border Control – Not Gun Control."

"Our bumper sticker is printed in both English and Spanish," Gottlieb said, "so that everyone understands the message. We're not going to let far-left anti-gunners like Ted Kennedy, Chuck Schumer and Barbara Boxer use violent crime committed by illegal aliens to bolster their incessant campaign to take away our gun rights."

Earlier this year, Gun Week, a national firearms newspaper, reported that estimates run as high as 30 percent of the two million prisoners now incarcerated in the nation's prisons are illegal aliens.

"We know that an overwhelming number of outstanding homicide warrants in Los Angeles last year pointed to illegal aliens," Gottlieb noted. "About two-thirds of all felony warrants there last year were reportedly for illegals. And yet the gun control crowd insists that taking away our gun rights will somehow quell this epidemic. These are the same people who want to give voting rights to illegal aliens to help elect left-wing anti-gun candidates.

"We want to deliver two million signed letters from every state in the nation to the Oval Office, reminding President Bush that homeland security depends on tight border controls, not restrictive gun controls."

PUBLIC HEALTH PROFESSOR THE CCRKBA GUN DEFENDER

Dr. Frank Holtzhauer, Professor of Public Health Policy at Ohio State University, is the CCRKBA Gun Rights Defender of the Month for October.

In nominating Dr. Holtzhauer for the Award, John Michael Snyder, CCRKBA Public Affairs Director, said that the Ohioan “certainly distinguished himself recently in the battle to prevent the Columbus City Council from banning an extensive number of semiautomatic firearms. Although unfortunately we’ve lost that fight for the moment, it’s important to honor those who put up a good fight to preserve the right to keep and bear arms. Dr. Holtzhauer certainly deserves this recognition.”

According to the pro-gun Peoples Rights Organization (PRO) in Ohio, when Dr. Holtzhauer testified before the Columbus City Council against the ban, he “definitely unnerved Council with his remarks.” He was so articulate, said PRO, “that Council Member Charlata Tavares felt compelled to state that she didn’t believe that Dr. Holtzhauer represents the healthcare community in Columbus.”

In his testimony, Dr. Holtzhauer presented a number of items of fact. He noted, for instance, that, “sixteen years ago I completed a study that involved interviewing 50 murderers in Ohio prisons who used guns to kill and 100 matched neighborhood controls that reported owning guns, but did not kill another. There were many interesting findings, but one take away was the fact that it was not the gun; it was a bad person that was the murderer. I asked them – they did not care about the laws of society.”

Among the other items Dr. Holtzhauer cited in his testimony are: “All of the credible studies conducted or reviewed by the Centers for Disease Control during the past 15 years cannot show any benefit of any recent gun laws.”

“The Urban League study of the assault weapons ban published a few years ago concluded that they were unable to detect any reduction in two types of murders closely associated with assault weapons.”

“A recent study by the National Institute of Justice states ‘we cannot clearly credit the ban with any of the nation’s recent drop in gun violence.’” “Recent studies show a decrease in crime in states that have passed concealed carry laws.”

“A recent debate at Ohio State featured Jim Kessler. Mr. Kessler worked as an aide to then Congressman Schumer and was a key architect of the Brady Bill. I heard Mr. Kessler say the following in response to a question on the federal ban, ‘We do not need another symbolic gun law. The assault weapons ban was 80-90 percent show.’”

“Council states ‘assault weapons typically fire ammunition that can penetrate an officer’s body armor and kill or severely injure the officer.’ With the new definition of assault weapon by Council to include semi auto shotguns and semi auto pistols, Council’s statement that I just read is 100 percent misleading and bordering on a false statement. Shotguns and semi auto pistols do not typically penetrate body armor.”

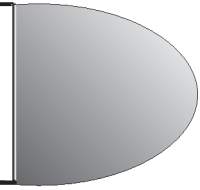
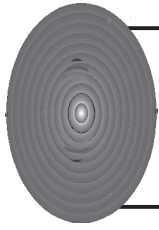
“The number of officers killed wearing body armor is not going up contrary to allegations. That number in 2003 is 31. This number

has ranged from 35 in 1994 to 27 in 1997 and 1999. Fortunately for our officers the trend is flat.”

Dr. Holtzhauer stated flatly to the Council that, “the data clearly do not support the direction you are attempting to take public policy in this community on this issue. As a researcher I am frankly dismayed at what can only politely be called cherry picking of the data to support your position. Your job as public policy makers is to consider in a balanced manner the best available data on the subject...”

“There is a cost to all legislation. I have yet to see or hear of any cost benefit or cost effectiveness calculations put forward with this proposed legislation. Since 20 percent of officers were killed with their own guns you should consider using these funds for better retention holsters. The funds used to register law-abiding citizens’ guns could fund perhaps several more officers for the city. More judges and more jails would go a long way in reducing law enforcement killings. This is not conjecture, as the data shows this to be true.”

Dr. Holtzhauer worked 32 years in public health practice starting as a field epidemiologist, then Epidemiology Director and finally Deputy Director of the Ohio Department of Health. There was a 13-year interlude when he worked as Assistant Health Commissioner in Columbus. He also worked six years as a local police officer, three years as the weapons officer. He served as a commissioned officer in the military.



A recent MSNBC report that “more officers are being killed in traffic accidents” than by guns leaves CCRKBA wondering where Ted Kennedy is on this threat to police. Kennedy during Senate debate earlier this year on gun legislation argued for more restrictions on firearms and so-called “cop-killer bullets.” The legislation to protect gun makers from frivolous junk lawsuits passed despite Sen. Kennedy’s hysteria-laden rhetoric. “As recently as 2003,” noted CCRKBA Chairman Alan M. Gottlieb, “more cops were killed by cars than guns, according to the MSNBC report. Where’s Ted Kennedy and why isn’t he demanding that auto makers be sued into financial oblivion, the same way he wants America’s gun industry to be devastated? If anybody were an authority on lethal car crashes, it would be Ted Kennedy, whose carelessness in 1969 cost the life of Mary Jo Kopechne, a passenger in the car that Kennedy drove off a bridge on Chappaquiddick Island. She drowned and Kennedy fled the scene.”

In Raleigh, North Carolina, lawmakers approved a measure that would require courts to give battered spouses information on how to apply for a concealed weapon. The bill, which passed overwhelmingly in both houses of the state legislature, also would add protective orders to the evidence a sheriff can consider when determining whether to issue an emergency permit to carry a concealed weapon. Normally, an applicant must wait 90 days for such a permit. Paul Valone, President

of the pro-gun Grass Roots North Carolina, said the measure is about helping victims of domestic violence help themselves. “We’re not interested in them shooting their abusers,” he said. “We’re interested in delivering a message: When police can’t protect these people, they are capable of protecting themselves.”

In Wisconsin, following reports that police chiefs there are campaigning already against legislation that would allow concealed carry by citizens of the state, CCRKBA is challenging those lawmen to explain why Wisconsin residents are less trustworthy with licensed, concealed handguns than residents in 46 other states. According to WBAY-TV in Green Bay, “police chiefs across Wisconsin say they need to keep all the guns they can in officers’ hands only.” CCRKBA Executive Director Joe Waldron observed, “this is astonishing. Law-abiding private citizens in nearly every other state have been carrying guns legally for years, and they pose a far less danger to police officers than traffic accidents. It’s the criminal with a gun, carrying it illegally with complete disregard for existing law, who poses the real danger to both police and the public. There is strong evidence that armed citizens actually are a deterrent to crime.”

In Austin, Texas, State Rep. Terry Keel pointed out that “it is well established in Texas that a person who is traveling has a right to possess a handgun for personal protection. The practical problem with this right has historically been that courts have

disagreed on the definition of ‘traveling.’ The legislature has likewise never defined ‘traveling’ because a definition invariably has the unintended effect of unfairly limiting the term to a narrow set of circumstances.” His bill HB 823, which took effect last month, shores up “the right of citizens to carry a concealed handgun while traveling... It provides for a legal presumption in favor of citizens that they are travelers if they are in a private vehicle with a handgun that is not in plain view, they are not themselves engaged in unlawful activity nor otherwise prohibited by law from possessing a firearm, and they are not a member of a criminal street gang.”

In Columbus, Ohio, a City Council candidate sued to challenge the city’s recently approved ban on so-called “assault weapons.” Republican Phil Harmon, a lawyer, wants a court to prevent the ban from taking effect. He filed the lawsuit in late August in Franklin County Probate Court. The ban that Democrat-controlled City Council adopted the previous month and which CCRKBA and other gun groups opposed, prohibits the sale or possession of semiautomatic rifles with pistol grips and detachable magazines.

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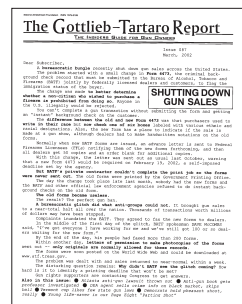
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