

POINT BLANK

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



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2007**
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NOW IS THE TIME FOR DEEP REFLECTION

As the nation mourns the horrible loss at Virginia Tech, this should be a time of deep reflection and prayer for the victims and their heartbroken families.

Sadly, notes Alan Gottlieb, Chairman of the Citizens Committee for the Right to Keep and Bear Arms, some politicians are using this terrible crime to further their own political cause: the continued erosion of firearm civil rights and the abolition of firearm ownership in the United States.

New York Mayor Michael Bloomberg is lying when he claims that legitimate law enforcement access to trace data is being blocked by federal law. It took less than 24 hours for authorities to trace two handguns used by Virginia Tech gunman Cho Seung Hui.

Gottlieb noted that Bloomberg's campaign to undo federal legislation that prevents "fishing expedition access" to gun trace data from the Bureau of Alcohol, Tobacco, Firearms and Explosives has just been shown to be based on "fabrication and falsehood."

"The swiftness of the law enforcement investigation proves that Mayor Bloomberg has been lying all along about legitimate access to the federal gun trace data," he said. "This data has remained available for legitimate, on-going criminal investigations despite the federal law, and he knows it.

"Bloomberg's sole interest in broadening access to that data is so that he and other anti-gun politicians can use it to mount more bogus gun shop stings and bully firearms retailers with harassment lawsuits," Gottlieb added. "The federal statute was adopted specifically to protect the privacy of American gun owners from politicians like Bloomberg, and to prevent the kind of grandstanding he launched last year with his vigilante operation against gun shops in five states.

"These individuals, who so quickly have tried to politicize Virginia Tech's sorrow and loss, have a well-documented history of shamelessly dancing in the blood of crime victims to advance their agenda," he continued. "Such deplorable behavior should not be forgotten by the American public. Eighty million law-abiding gun owners in this country did not go to Virginia Tech or some other college campus yesterday to unleash carnage. They have harmed no one, and their civil rights should not be erased in response.

"Today, we should all stand together as Americans with broken hearts," Gottlieb added. "We are all diminished by this great loss. Let us offer our prayers and support to the families of the victims, and to the thousands of students whose lives will be forever changed by this despicable, cowardly act."

CCRKBA SAYS TRUTH CONFRONTS FANTASY ON GUN RIGHTS ISSUES

In Washington, D.C., Mayor Adrian Fenty termed "outrageous" a federal appellate court's 2-1 decision declaring his city's handgun ban unconstitutional as a violation of the Second Amendment.

In announcing the city's request last month that the full appellate court rehear the case, Fenty dismissed Senior Judge Laurence H. Silberman's reasoned 58-page decision with the flip comment that "more guns simply lead to more violence."

This self-righteous "don't confuse me with the facts" arrogance on the part of a public official is most troubling, and it occurs elsewhere in the United States as well.

As U.S. Sen. Kay Bailey Hutchison of Texas noted, "prior to the gun ban's implementation the murder rate in the District was on the decline. Following the ban, the murder rate began to rise while violent crime was decreasing rapidly. According to the FBI's Uniform Crime Reports for 2005, the most recent year for which statistics are available, the District of Columbia led the nation in violent crime."

According to criminologist Gary

Kleck of Florida State University, there are nearly two million defensive uses of handguns each year by citizens in the United States.

In his now well-known book, *More Guns Less Crime*, scholar John R. Lott, Jr. demonstrated conclusively that when jurisdictions adopt policies enabling qualified law-abiding citizens to obtain permits to carry concealed firearms, rates of violent crime drop in a precipitous manner.

So, contrary to Fenty's mindless assertion that "more guns simply lead to more violence," the truth is that more guns in the hands of law-abiding citizens lead to less violence. Guns save lives.

Fenty's arrogant thoughtlessness is most troubling, but he is not alone in his thoughtlessness.

Data released in late March by the Minneapolis, Minnesota *Star Tribune* showed that anti-gunners were wrong in their predictions about Wild West shootouts and blood in the streets following enactment of a ccw law.

According to the newspaper, people with gun permits are far less likely to be involved in a crime, whether it is a physical assault, a drug crime, or even drunken driving. Authorities have confirmed that the hysterical public predictions about gunfights at traffic stops and danger to children simply have not materialized.

"The worst predictions of gun control advocates who bitterly fought to keep this law off the books just haven't come true," noted CCRKBA Executive Director Joe Waldron. "We're delighted that the press, which did not support the law, has at least acknowledged the public's right to know how the law is working.

"The state's legally-armed citizens have proven not only that they are overwhelmingly responsible with firearms, the data shows that providing the means for citizens to go armed is not a threat to public safety, and never has been. The Personal Protection Act has succeeded in destroying the myth that legally-armed citizens are somehow a threat to the general public. We knew they were wrong, and now everybody else knows it, too."



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

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CCRKBA HITS DEMOCRATS IN HOUSE OF REPRESENTATIVES

CCRKBA Chairman Alan M. Gottlieb declared that Democrats in the U.S. House of Representatives revealed their true colors when they recently sacrificed voting rights over the gun issue.

He noted that congressional Democrats claim at every turn that they "support the Second Amendment," but that the truth came out this spring when they pulled a coveted District of Columbia voting rights bill because of an amendment that would have ended the District's long-standing handgun ban.

"This shows the true colors of the Democrat leadership," Gottlieb stated. "It should have been easy for the Democrat caucus to agree on the Republican-sponsored amendment, because of the recent federal appeals court ruling that declared the handgun ban unconstitutional under the Second Amendment.

"Instead, Democrats proved once again that all their avowed support for the Second Amendment is empty rhetoric. House Democrats had a chance to stand up and be counted, but instead they ran for cover, afraid to have a recorded vote prove that, as a party and as individuals, they remain as anti-gun as ever."

Republicans attached an amendment to the District of Columbia voting rights measure that essentially would have restored the Bill of Rights to Washington, D.C. residents. The voting rights bill would give District residents full representation in the U.S. House of Representatives. It's a bill Democrats want because the District of Columbia is heavily Democrat.

"With this delay over the addition of a gun rights amendment," Gottlieb

observed, "House Democrats have demonstrated a new low in moral hypocrisy that frankly just didn't seem possible. It has taken Democrats only three months to erase the years of promises and pontificating they've done, trying to convince American voters, and particularly the Nation's 90 million gun owners, that they are not the party of gun control.

"Yet here they are, sacrificing full House representation for a huge constituency, rather than face a vote on a simple gun rights amendment. Democrats can call this anything they want, they can join The New York Times in blaming Republicans for this debacle, but the truth is simpler and more insidious. If Democrats do not support gun rights for residents of the District of Columbia, they don't support gun rights for citizens anywhere else."

District of Columbia Delegate Eleanor Holmes Norton said that congressional Republicans "are into gamesmanship, and they have been successful with some of the games they have been playing." A Democrat who is the District's non-voting congressional representative and a cosponsor of the District voting rights bill, she said "I'm sure we will be back and I'm sure we will prevail."

The move by Republicans sparked confusion in the House of Representatives chamber floor and came just before the March vote on the measure, which would give the District a congressional member with full voting rights for the first time in more than 200 years.

The District voting rights measure was expected to pass in the Democratic-controlled Congress. However, Rep. Lamar Smith of Texas, a

Republican and a former CCRKBA Gun Rights Defender of the Month, introduced a motion to add language to the bill to repeal much of the District's gun ban. Although the ban was struck down by a federal appeals court in early March, it remains in effect pending possible appeal.

"My colleagues on the other side of the aisle have suggested today that District of Columbia citizens have the 'right' to a vote in Congress," Congressman Smith said. "If that's the case, then they must also agree that the citizens of the District should have the constitutionally guaranteed right to possess firearms and protect themselves."

Rep. Smith's maneuver, reported The Washington Times, "put conservative, pro-gun Democrats in the sticky situation of either voting for the motion, which would effectively kill the bill upon it being sent back to committee, or voting against the motion, which would have been perceived as being in favor of strict gun control."

Rep. John Conyers, Jr. of Michigan, a Democrat who is Chairman of the House Judiciary Committee, called Rep. Smith's motion "the most startling hypocrisy I have ever heard of on a bill of this magnitude." Rep. Conyers is one of the most serious opponents of gun rights in Congress.

Congressman John A. Boehner of Ohio said that, "the Democratic leadership shamefully exploited a rule to kill debate and postpone the vote indefinitely." A Republican, Rep. Boehner is House Minority Leader.

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TSA UNDERMINING ARMED PILOTS PROGRAM

Immediately after the Islamist terrorist attacks on the United States of September 11, 2001 when al Qaeda fanatics hijacked and crashed airplanes into the World Trade Center in New York City and the Pentagon in Washington, D.C., CCRKBA became the first organization to call for the arming of qualified airline pilots to protect the security of airline passengers, crew and cargo.

In the following months, CCRKBA and others promoted legislation to permit qualified pilots to carry guns in the cockpit. Despite opposition by various entities, especially the Transportation Security Administration (TSA), Congress passed and President George W. Bush signed into law the Arming Pilots Against Terrorism Act as part of the Homeland Security Act in 2002.

Now, five years after enactment of the armed pilots program, it appears that TSA still is dragging its feet on implementation of the program.

"This really is a bureaucratic outrage," said John M. Snyder, CCRKBA Public Affairs Director, in Washington, D.C. "At issue here is the safety of probably hundreds of thousands, if not millions of airline passengers each year in the United States, as well as aircraft crews. It is incredible that, after overwhelming bipartisan enactment of this public safety legislation five years ago, there still is bureaucratic intransigence regarding its implementation.

"We're asking CCRKBA Members and Supporters to contact their U.S. Representative and both of their U.S. Senators and urge them to demand that TSA quit dragging its feet and get on the stick now with full implementation of the American guns in

the cockpit program."

Dave Mackett, President of the Airline Pilots Security Alliance (APSA), a pilot himself and a former CCRKBA Gun Rights Defender of the Month, said recently there is no question in his mind that another 9/11 type attack – and perhaps multiple attacks involving hijacked airliners – will take place in the future, in the absence of multi-layered defense mechanisms that include armed pilots.

"The only question," he said, "is will it be tomorrow or 10 years from now?"

The Federal Flight Deck Officers Program (FFDO) is administered by the TSA Office of Law Enforcement. Dana Brown, Director of the Federal Air Marshal Service, oversees the program. The 2002 Act directs the TSA to deputize pilots as federal law enforcement officers trained in the use of firearms and authorized to use lethal force to defend the cockpit.

However, reports the Cybercast News Service, aviation industry officials and policy analysts argue that instead of encouraging pilots to volunteer their time, TSA officials have undermined the program, and only a small number of pilots have volunteered.

Standing in the way of greater participation are what critics describe as "cumbersome" and "burdensome" TSA requirements, such as a lockbox for firearms. Pilots are compelled to carry their gun in a lockbox whenever they leave the cockpit, and while traveling to and from the airport.

Other problems include the report that only one training facility exists in the entire country and pilots must pay for their training out of pocket and use their own vacation days.

Another major sticking point, ac-

cording to critics, is a psychological exam pilots must undergo. APSA officials charge that the exam is completely dissimilar to what is used for federal air marshals and is ill-suited for vetting potential law enforcement personnel.

Pilots also have expressed concern over the "lack of due process" for those who have been excluded from the FFDO program.

Brian Darling, Director of U.S. Senate Relations for the Heritage Foundation, told Cybercast that pilots who have been turned down for the program include a number of current and former military officials who have top secret clearance.

Many of the program's deficiencies are addressed in an amendment Sen. Jim Bunning of Kentucky sought to attach to the 9/11 Commission bill in March. Bunning is a CCRKBA Congressional Advisor and a former CCRKBA Gun Rights Defender of the Month.

In addition to eliminating the lockbox requirement, providing for due process, and alternative venues for training armed pilots, the Bunning Amendment also called on the State Department to negotiate agreements with foreign nations that would allow armed American pilots to fly into these countries.

Although Bunning's amendment has been tabled temporarily, both Darling and Snyder think there is substantial Capitol Hill support for technical changes that would encourage greater FFDO participation. They note only six U.S. Senators voted against the original bill.

"CCRKBA Members contacting their U.S. Senators could help put this over the top," said Snyder.

CCRKBA RIPS “SANCTUARY” IN LOS ANGELES & SEATTLE

CCRKBA blasted so-called “Sanctuary Laws” in Seattle and Los Angeles as contrary to the interests of law-abiding gun owners.

Had it not been for a Seattle ordinance that forbids police officers from routinely ascertaining a suspect’s immigration status, a murder-suicide early last month at the University of Washington might have been prevented because the perpetrator would have been deported months ago, said CCRKBA.

Seattle newspapers reported that gunman Jonathan Rowan had been living in this country illegally for more than 10 years. Stopped for drunken driving last June 30 by Seattle police, his residency status could have been determined, were it not for Seattle’s ridiculous policy. Generically called “Sanctuary Laws,” they tie the hands of police and allow foreign nationals a free pass to stay here illegally.

“The murder of Rebecca Griego was a horrible tragedy that did not have to happen,” said CCRKBA Chairman Alan M. Gottlieb. “Unfortunately, liberal politicians who dominate Seattle government feel more comfortable trying to harass law-abiding firearm owners than looking for dangerous illegal aliens in our midst. Rowan was a prime example of why such ordinances should be abolished. It is because of policies like this – that protect people like Rowan – that honest citizens want to arm themselves.”

CCRKBA said also it is an outrage that the Los Angeles City Council supports new efforts to ratchet down on the rights of gun owners, while it touts itself as a “Sanctuary City” for illegal aliens.

Los Angeles is one of more than 50 cities around the country that have adopted these “Sanctuary Laws” that prevent police from determining someone’s immigration status. Yet

Los Angeles suffers from a plague of gang violence, and many of these criminals are in this country illegally.

“The City Council has endorsed four new California anti-gun bills,” noted Gottlieb, “that target the wrong people.

“These bills place additional burdens on firearm retailers and law-abiding gun owners, but do nothing to curtail gang activities or stop gang members, many of whom do not belong in this country.

“These criminals make our neighborhoods unsafe, not citizens who legally own firearms.

“This is yet another example of liberal politicians scapegoating their crime problems on the shoulders of law-abiding firearm owners, retailers and manufacturers. If any of these new legislative proposals were to ever actually prevent a crime, it would be a miracle.”

CITIZEN ACTION PROJECT

Because of the potential impact they have on our Constitutional right to keep and bear arms, we tend to focus on proposed legislation (bills) further restricting that right. There are several bills filed in Congress that protect or expand that right as well. Our elected officials need to hear about or support for those bills, as well as our opposition to anti-rights bills.

Pro-gun bills filed in the 110th Congress include measures to require states to recognize concealed carry licenses issued by other states (H.R. 226 and H.R. 861, both by Rep. Cliff Stearns (R-FL) and S. 388 by Sen. John Thune (D-SD)), a bill to allow registration of certain war trophy firearms (H.R. 1141 by Rep. Chris Cannon (R-UT)), a bill to require the BATFE to videotape testing of alleged illegal automatic weapons (H.R. 1791 by Rep. Phil Gingrey (R-GA)), a bill allowing a citizen whose firearms rights have been denied to bring a cause of action in a federal court (H.R. 73 by Rep. Roscoe Bartlett (R-MD)) and a bill to repeal the “sporting purposes” language and other restrictions in federal firearms law (H.R. 1096 by Rep. Ron Paul (R-TX)).

You can find your elected officials by visiting the CCRKBA web site at <http://www.ccrkba.org> and scrolling down the left margin to “Contact your Senator” and “Contact your Rep.” You can also find district office telephone numbers in your local telephone directory in the “blue pages” in the front of the directory, under “U.S. Government.”

JUDGE SILBERMAN CCRKBA DEFENDER

"When Laurence Hirsch Silberman, Senior Judge of the U.S. Court of Appeals for District of Columbia Circuit, wrote the majority opinion in a case striking down a handgun ban on Second Amendment grounds, he shook up both the legal community and the political community," said John M. Snyder, CCRKBA Affairs Director, last month in Washington, D.C. "For his scholarship, lucidity and intellectual courage in this historic development, Judge Silberman most certainly merits the distinction of CCRKBA Gun Rights Defender of the Month, and I am most happy to nominate him for this Award."

Judge Silberman was nominated as a Judge for the Court by President Ronald Reagan on September 11, 1985, and confirmed by the U.S. Senate on October 25, 1985. He received his commission on October 28, 1985, and assumed senior status on November 1, 2000.

For decades preceding Judge Silberman's historic March 9, 2007 decision, arguments had been going back and forth over whether the Second Amendment recognizes an individual or a collective right to keep and bear arms.

Indeed, for most of American history, the matter had not really been an issue, as it was generally accepted that individual law-abiding American citizens enjoyed the right. Then, as the anti-gun owner movement developed, and gained force about 40 years ago, restrictive gun control proponents, apparently realizing that the Second Amendment amounted to a huge stumbling block for them in their efforts to assert political control of the social

environment, developed this "collective right" theory of the Second Amendment. This theory permitted them to maintain that the Amendment applied only to a militia and that there was in fact no individual right to keep and bear arms.

This essentially was the basis for the District of Columbia's defense of its virtual ban on private handguns in the now-famous *Parker v. District of Columbia* case, No. 04-7041.

In his equally now-famous decision, Judge Silberman knocked this whole line of reasoning in a cocked hat.

"The Second Amendment," wrote Silberman, "protects an individual right to keep and bear arms. That right existed prior to the formation of the new government under the Constitution, and was premised on the private use of arms for activities such as hunting and self-defense, the latter being understood as resistance to either private lawlessness or the depredations of a tyrannical government (or a threat from abroad). In addition, the right to keep and bear arms had the important and salutary civic purpose of helping to preserve the citizen militia. The civic purpose was also a political expedient for the Federalists in the First Congress as it served, in part, to placate their Anti-federalist opponents. The individual right facilitated militia service by ensuring that citizens would not be barred from keeping the arms they would need when called forth for militia duty. Despite the importance of the Second Amendment's civic purpose, however, the activities it protects are not limited to militia service, nor is an individual's enjoyment of the right contingent upon his or her

continued or intermittent enrollment in the militia."

Judge Silberman noted also that the District of Columbia "asks us to read 'the people' to mean some subset of individuals such as 'the organized militia' or 'the people who are engaged in militia service,' or perhaps not any individuals at all – e.g., 'the states.' These strained interpretations of 'the people' simply cannot be squared with the uniform construction of our other Bill of Rights provisions. Indeed, the Supreme Court has recently endorsed a uniform reading of 'the people' across the Bill of Rights."

Judge Silberman was born in York, Pennsylvania. He received his Bachelor of Arts degree from Dartmouth College and his Bachelor of Law degree from Harvard Law School.

His prior career included U.S. Army Private, 1957-1958; private practice, Honolulu, Hawaii, 1961-1967; Lecturer, University of Hawaii Law School, 1962-1963; Attorney, Appellate Division, National Labor Relations Board, Washington, D.C., 1969-1970; Solicitor of Labor, U.S. Department of Labor, Washington, D.C., 1969-1970; U.S. Undersecretary of Labor, Washington, D.C., 1970-1973; Deputy Attorney General of the United States, 1974-1975; Ambassador to Yugoslavia, 1975-1977; President's Special Envoy on ILO Affairs, 1976; Senior Fellow, American Enterprise Institute, 1978-1985; Executive Vice President of Strategic Planning, Legal and Government Affairs, Crocker National Bank, San Francisco, California, 1979-1983; and Adjunct Professor of Law, Georgetown Law Center, 1987-present.



QUICK SHOTS

Over 90 percent of the Chiefs of Police and Sheriffs in the United States believe that any law-abiding citizen should be able to purchase a firearm for sport or self-defense, according to a recently-completed postal survey of professional American law enforcement command officers conducted by the National Association of Chiefs of Police (NACOP). NACOP reported the results of its 19th annual survey in the January/February issue of its official publication, *The Chief of Police*.



Police in suburban Cincinnati said that a man who was involved in a deadly shooting was attempting to stop an intruder from robbing him. Hamilton Police Detective Commander Lt. Scott Scrimizzi said that Jamie Buck in his home was defending himself from 31-year-old Millard Brandenburg of Hamilton who police said was attacking Buck with a sledgehammer. Buck suffered head injuries in the attack and was taken to Fort Hamilton Hospital where he was treated and released. Police got a call of a shooting about 1:30 one morning in late March, when Buck called 911 and told them that he had shot a guy and the guy was lying in Buck's kitchen. "This guy just tried to break into my house," said Buck. "I just shot him in my kitchen." According to Fox 19 Cincinnati, no charges had been filed against Buck.



In Washington, D.C., Rep. Phil Gingrey of Georgia introduced the proposed Fairness in Firearms Testing Act, H.R. 1791, to improve

consistency and accountability by giving U.S. gun manufacturers access to video documents of their products' testing at the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE). Congressman Gingrey says video documentation will give firearm manufacturers the right to contest and review BATFE testing decisions, "which are highly inconsistent." He says also that, "currently, BATFE lacks written procedures and clear guidelines for firearm testing. How can we expect firearm manufacturers – or any industry, for that matter – to comply with moving target regulations? The Bureau's rulings are so inconsistent that BATFE threatened to prosecute one gun manufacturer in Heard County, Georgia not even a year after sending written approval for that company's product. This runaround is a waste of time and resources. My legislation will help restore accountability to the BATFE testing process and help restore the words 'made in America' to our firearms."



After the Illinois State House of Representatives passed out of committee a string of anti-gun bills aimed at further eroding gun rights in the Prairie State, CCRKBA suggested that Chicago-dominated lawmakers ought to just put out a welcome sign for criminals at the state border. Anti-gun schemes headed for floor debate include gun rationing, restrictive handgun dealer licensing and a ban on semiautomatic sport-utility rifles. Such a ban could put several Illinois-based firearm manufactur-

ers out of business, or force them to move their businesses to other states. Lawmakers behind these bills include three Chicago Democrats, Harry Osterman, Edward J. Avededo and Luis Arroyo, and Oak Park Democrat Deborah L. Graham. "This kind of nonsense infuriates gun owners," said CCRKBA Chairman Alan M. Gottlieb. "Lawmakers from Chicago want to export their anti-gun philosophy throughout the state. Of course, it's pretty clear that Chicago's gun control policies have been a dismal failure for years."



In Texas, Gov. Rick Perry signed into a law a bill that expands Texans' existing right to use deadly force to defend themselves "without retreat" in their homes, cars and workplaces. "The right to defend oneself from an imminent act of harm should not only be clearly defined in Texas law, but is intuitive to human nature," said Perry. The new law, which takes effect September 1, extends an exception to a statute that required a person to retreat in the face of a criminal attack. The exception was in the case of an intruder unlawfully entering a person's house. The law extends a person's right to stand his or her ground beyond the home to vehicles and workplaces, allowing the reasonable use of deadly force, Gov. Perry's office noted.



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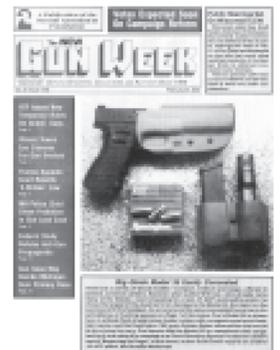
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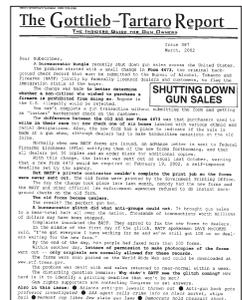
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The Gottlieb-Tartaro Report:

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 GOTTLIEB-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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