

POINT BLANK

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



**September
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CCRKBA HITS DEMOS GUN CONTROL STANCE

As the Democratic National Convention prepared last month to nominate the most anti-gun presidential candidate in history, CCRKBA pointed out that the 2008 Democratic Party's draft platform confirms that the party itself still "doesn't get it" about Second Amendment gun rights versus the fantasy that gun control laws somehow will make neighborhoods more safe.

"While promising to preserve our Second Amendment rights," noted CCRKBA Chairman Alan M. Gottlieb, "the party platform demonizes semiautomatic sport utility rifles and wants them banned, calls for anti-gun show legislation and proposes so-called 'common sense' gun laws. Many Democrats believe bans on guns are 'common sense.' Boiled down, all it really means is that the Democrats are still the party of gun control no matter how they try to repackage the rhetoric, and they know it."

According to the draft plank, the Democrats "recognize that the right to bear arms is an important part of the American tradition, and we will preserve Americans' continued Second Amendment right to own and use firearms. We believe that the right to own firearms is subject to reasonable regulation, but we know that what works in Chicago may not work in Cheyenne. We can work together to enact and enforce common-sense laws and improvements, like closing the gun show loophole, improving our background check system and reinstating the assault weapons ban, so that guns do not fall into the hands of terrorists or criminals. Acting responsibly and with respect for differing views on this issue, we can both protect the constitutional right to bear arms and keep our communities and our children safe."

This platform plank, said Gottlieb, "puts the lie to everything they say. As Democrats descended on Denver to nominate Barack Obama, a candidate who is on record in opposition to sensible concealed carry laws, we encouraged gun owners across the country, and especially in Colorado, to remind the party that the U.S. Supreme Court in June held that gun bans are unconstitutional. Yet here they are, calling for a ban on so-called 'assault weapons' even after years of experience tell us that Bill Clinton's ban accomplished nothing, and cost the party control of Congress in 1994."

"Democrats want to regulate gun shows out of business even after a study done for the Justice Department found that gun shows are rarely the source of firearms used for criminals. Gun shows provide a forum, a gathering place for law-abiding gun owners to discuss ideas and issues, and share constitutionally protected freedoms of speech, assembly and the right to keep and bear arms. Increasingly, Democrats seem averse to the exercise of these rights by anyone who does not share their philosophy. And this is the party of inclusion?"

"Last month," noted Gottlieb, "Democrats had an opportunity to reject and repudiate this platform. Their convention in Denver told American gun owners everything they need to know about Democrats as November approaches."

CCRKBA CHAIRMAN MODERATES NATIONAL CAMPUS CCW SESSION

CCRKBA Chairman Alan M. Gottlieb served as moderator of a state legislative panel on campus concealed carry during a national conference last month at the National Press Club in Washington, D.C.

The conference, Supporting Self Defense on Campus, was sponsored by Students for Concealed Carry on Campus (SCCC) and the Second Amendment Foundation (SAF), of which Gottlieb is Founder.

Appearing with Gottlieb on the panel were Louisiana State Representative Ernest Wooton, and Oklahoma State Representative Jason Murphey.

The panelists have demonstrated their support for legislation allowing permitted concealed handguns on campuses.

One of them, Louisiana State Rep. Wooton, for instance, is behind Louisiana House Bill 199, which would allow students, faculty and staff with valid state issued credentials to carry concealed firearms onto public Louisiana college campuses.

Among the other highlights of the afternoon conference were presentations in debate format by John Lott, now a Senior Research Scientist at the University of Maryland who is the author of *More Guns Less Crime* and *The Bias Against Guns*, and Paul Helmke, President of the anti-gun Brady Campaign.

National talk radio personality G. Gordon Liddy presented a talk on his experiences over the years dealing with firearms and government officials.

Three professors made up an academic panel discussion on the subject. These were Law and History Professor Robert J. Cottrol of George

Washington University School of Law, Constitutional History Professor Joyce Lee Malcolm of George Mason University School of Law, and Economics Professor David Mustard of the University of Georgia.

Alan Gura, who represented Dick Anthony Heller so successfully before the United States Supreme Court in the District of Columbia v. Heller case, spoke about the issues in the case. In that case, the Court declared that the Second Amendment protects an individual right to keep and bear arms and threw out the District of Columbia ban on handgun possession in one's home as incompatible with the U.S. Constitution.

Gura noted that the next step in the process of securing judicially the individual Second Amendment right to keep and bear arms requires the incorporation of the Second Amendment as a protection from infringement by individual States through the Fourteenth Amendment.

Ted Gest, a former reporter with *U.S. News & World Report* and now President of Criminal Justice Journalists, affiliated with the University of Pennsylvania and the John Jay College of Criminal Justice, and SAF President Joseph P. Tartaro, Executive Editor of *Gun Week*, discussed the problem of media bias about guns on campus. Julianne Versnel Gottlieb, Publisher of the *Journal on Firearms and Public Policy*, acted as moderator of the discussion.

Three students, Andrew Dysart of George Mason University, Jeremy Schwab of the University of Texas in Dallas, and Ken Stanton of Virginia Tech, comprised a panel on promoting concealed carry on campus. Stanton noted it is unfair that many

people think all college students abuse drugs and binge drink, thus making them poor candidates to carry concealed firearms on campus.

SCCC President Michael Guzman, a senior at Texas State University, opened and closed the conference with his remarks.



POINT BLANK

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

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CCRKBA PROMOTING BILL FOR CAPITAL GUN RIGHTS

In what well may be the last opportunity to promote federal gun rights legislation before the end of the current Congress, CCRKBA is endorsing the latest version of the proposed Second Amendment Enforcement Act, H.R. 6691, by Rep. Travis Childers of Mississippi and scores of cosponsors.

"The purpose of this proposed legislation," said John M. Snyder, CCRKBA Public Affairs Director, "is to rectify the situation in Washington, D.C."

He noted that, "after the Supreme Court in *District of Columbia v. Heller* declared the handgun ban in the Nation's Capital an unconstitutional violation of the Second Amendment right to keep and bear arms, the D.C. government enacted new legislation. While allowing revolver possession in the home, the new legislation lets stand a D.C. designation of semi-automatic handguns as machine guns, thus continuing to ban them, and otherwise places unreasonable burdens on D.C. citizens in the actual exercise of their gun rights.

"Right after the D.C. government thumbed its nose at the Supreme Court in this way, Rep. Mark Souder of Indiana filed a version of the proposed act and proceeded to file a discharge petition in an effort to bring the measure to the floor of the U.S. House of Representatives over the objections of the current Speaker of the House, Rep. Nancy Pelosi of California. Given the difficulties involved in this procedure and the lateness of the legislative year, Souder and others agreed on a bipartisan version of the bill in what is hoped will be a propitious attempt to bring the measure to the floor shortly af-

ter Labor Day. This version is H.R. 6691."

According to a mid-summer report appearing in *The Hill*, a Capitol Hill congressional newspaper, "Pelosi said she personally opposes a bill loosening the District of Columbia's gun laws, but that does not mean she will block it coming to the floor.

"I want to see the particulars," Pelosi said. "Then we'll see what comes to the floor or doesn't come to the floor."

This proposed Second Amendment Enforcement Act would repeal outright the District's ban on semi-automatic handguns.

It would restore the right of self-defense to residents of the District of Columbia by repealing the requirement that firearms be disassembled or secured with a trigger lock in the home.

H.R. 6691 would repeal the current D.C. registration system that requires multiple visits to police headquarters, ballistics testing, passing a written test on D.C. gun laws, fingerprinting, and limiting registration to one handgun per 90 days.

It would create a limited exemption to the federal ban on interstate handgun sales by allowing D.C. residents to purchase handguns in adjacent Virginia and Maryland. At the present time, there are no general firearm dealers in the District of Columbia, and the federal ban prohibits residents from purchasing handguns outside of the District, so District residents have no means of purchasing handguns.

H.R. 6691 would note in its congressional findings section that, "The Second Amendment to the United States Constitution provides that the

right of the people to keep and bear arms shall not be infringed."

It would state that, "As the Congress and the Supreme Court of the United States have recognized, the Second Amendment to the United States Constitution protects the rights of individuals, including those who are not members of a militia or engaged in military service or training, to keep and bear arms."

H.R. 6691 would declare that, "The law-abiding citizens of the District of Columbia are deprived by local laws of handguns, rifles and shotguns that are commonly kept by law-abiding persons throughout the United States for sporting use and for lawful defense of their persons, homes businesses and families."

It would state that, "The Federal Gun Control Act of 1968, as amended by the Firearms Owners' Protection Act of 1986, and the Brady Handgun Violence Prevention Act of 1993, provide comprehensive Federal regulations applicable in the District of Columbia as elsewhere. In addition, existing District of Columbia criminal laws punish possession and illegal use of firearms by violent criminals and felons. Consequently, there is no need for local laws which only affect and disarm law-abiding citizens.

"Officials of the District of Columbia have indicated their intention to continue to unduly restrict lawful firearm possession and use by citizens of the District."

H.R. 6691 would affirm that, "Legislation is required to correct the District's law in order to restore the fundamental rights of its citizens under the Second Amendment to the United States Constitution and thereby enhance public safety."

FEDERAL JUDGE UPHOLDS STATE GUNS AT WORK LAW

In what is fast developing as one of the major particular issues within the general public controversy over the individual right to keep and bear arms, a federal judge in Florida has upheld the Sunshine State's recently enacted law allowing employees with concealed weapons permits to take their guns to work.

The controversy began to develop a few years ago when citizens with state issued permits to carry concealed firearms wanted to keep their guns in their cars in their employer's parking lots. Some of the employers, especially some of the major ones, objected. They held that they had the right to determine the policies to be followed on their private property. Some employees in turn objected to this. They maintained that they should be able to keep their guns in their cars while at work so that they would be able to protect themselves if need be while driving to and from work.

After about three years of battling in the Florida State Legislature, the Legislature this year enacted a proposal that allows employees with concealed weapons permits to store their firearms in the glove compartments of their vehicles. Governor Charlie Crist signed the measure into law.

However, some corporate business entities in Florida still did not give up.

In June, for instance, Shannon McAleavey, Vice President of Public Affairs of Disney World, a major employee in the Orlando, Florida area, advised other company executives in a memo that, with a few exceptions, "this law does not apply to Walt Disney World Com-

pany owned and leased properties" because of language in the law that creates an exception for companies whose primary business is to manufacture, use, store or transport explosives regulated under federal law.

U.S. District Judge Robert Hinkle said at a public hearing in June that the law was poorly drafted and "stupid," but he announced in his 39-page order in late July that Floridians with concealed weapons permits had the right to take their guns to work and leave them locked in their vehicles.

However, he also ruled that the new law was unconstitutional "to the extent it compels some businesses but not others – with no rational basis for the distinction – to allow a customer to secure a gun in a vehicle."

Hinkle granted the Florida Chamber of Commerce's request for a preliminary injunction barring enforcement of that part of the law.

In reaction, State Sen. Durell Peaden, a supporter of the law who helped draft it, said he was mildly surprised by the ruling but expects business groups to appeal the decision.

"This is just the beginning of the process," he said.

In recalling the back-and-forth developments over the last few years with regard to this issue, a former CCRKBA Gun Rights Defender of the Month, Marion Hammer of Unified Sportsmen of Florida, pointed out that the Florida Chamber of Commerce and the Florida Retail Federation argued for three years that business owners had an "absolute right to control their employees. That's why they kept calling it the 'take-your-guns-to-work' legislation."

The Chamber and the Federation claimed they could search employee vehicles and ban firearms from those vehicles in the employer's parking lot. They claimed businesses didn't care if customers had guns in cars; they only cared about their right to control employees. When the legislature passed the law protecting the rights of workers, the Chamber of Commerce and the Florida Retail Federation filed a lawsuit in federal court asking the Court to throw out the law.

The Chamber and the Federation argued that the law requiring businesses to allow guns in vehicles in their parking lots constituted an unconstitutional "taking" of the property. The judge ruled against them. As Hammer stated, "they lost."

The Chamber and the Federation argued that OSHA regulations require them to provide a safe work environment for their workers, which required them to ban guns in parking lots to comply with OSHA requirements. In court, the federal judge ruled against them on this point as well, and so they lost on this, too.

The Chamber and the Federation argued that, as employers, they had an absolute right to control the conduct of their employees and could ban guns from employee vehicles in company parking lots while employees were at work. In court, the federal judge also ruled against them on this point.

As Hammer noted, "those are the three points argued by the Chamber and the Retail Federation. They lost on all three points."

ANTI-GUN DETROIT MAYOR SHOULD QUIT, SAYS CCRKBA

CCRKBA said that Kwame Kilpatrick, the anti-gun mayor of Detroit, Michigan, should resign before he brings any more disgrace to his office than he already has.

Mayor Kilpatrick has been jailed for violating terms of his bond as he faces trial on eight felony counts.

Kilpatrick is a prominent member of New York City Mayor Michael Bloomberg's anti-gun Mayors Against Illegal Guns coalition. There is an irony here in this situation, said Joe Waldron, CCRKBA Legislative Affairs Director. Since Kilpatrick is under felony indictment, he cannot possess a firearm!

"Here's a guy who was very quick on the political trigger by joining Bloomberg's coalition of gun grabbing municipal chief executives,"

Waldron noted, "but he really misfired when he violated his bond agreement and crossed the border into Canada in July without telling the court in advance. The behavior that got him into this legal quagmire suggests that Kilpatrick considers himself above the law.

"No wonder he's pals with Michael Bloomberg. New York's mayor is lucky he's not facing charges for that vigilante gun shop sting operation he mounted two years ago because it interfered with legitimate federal investigations. Did Kilpatrick think that he would also avoid trouble, even though he lied under oath about a relationship he had with his former chief of staff?"

Kilpatrick told the court last month that he knew he had made a mistake,

but that the trip to Windsor in Canada was necessary to save hundreds of city jobs in Detroit and preserve city services. He said the trip was part of his effort to erase a \$65-million budget deficit by selling the city's half of the Detroit-Windsor Tunnel, which connects the United States to Canada. The bid stalled when the City Council rejected the arrangement.

However, 36th District Court Judge Ronald Giles, while acknowledging that Kilpatrick had been facing extreme public and media pressure, ignored the mayor's pleas for forgiveness and made it clear his patience was at an end.

"The first day you were before me, I thought I made it clear to you that this court comes first in everything," Giles stated in the courtroom.

CITIZEN ACTION PROJECT

For this month's Citizen Action Project, we're asking CCRKBA Members and Supporters to take as active a part as you can in helping us promote what well may be our last chance this year to secure support for a pro-gun bill on Capitol Hill in Washington, D.C.

That bill is H.R. 6691, the proposed Second Amendment Enforcement Act, discussed in some detail in this issue of *Point Blank*.

This bill is significant. It's important to do what we can in the limited time available to us to try to see it brought to the floor of the U.S. House of Representatives and voted on there.

The June decision by the U.S. Supreme Court in *District of Columbia v. Heller* declared that the Second Amendment protects an individual right to keep and bear arms and that the D.C. ban on handgun possession in the home violates that constitutional right. This was a salient victory for American gun rights.

However, the D.C. government since then has been doing as much as it can to undermine that decision. If the D.C. government gets away with thumbing its nose at the Supreme Court like this on a gun rights issue, other gun grabbers in other jurisdictions will do the same.

H.R. 6691, if enacted into law, could put a stop to this nonsense.

Since Congress has jurisdiction over the District, a federal city, House passage of H.R. 6691 could go a long way towards nipping this outrage in the bud.

Visit, phone, write, and email your U.S. Representative and urge him or her to support H.R. 6691 as soon as Congress returns to the Nation's Capital this month following the summer recess.

YOUTH GUN LEADER THE CCRKBA RIGHTS DEFENDER

"For gun rights activists who have spent many years, even decades, in defending and promoting the individual Second Amendment civil right of law-abiding American citizens to keep and bear arms, it is most gratifying and encouraging to realize that there are young citizens who are ready, willing and able to bring their dedication and enthusiasm and combine it with our experience in continuing this never ending battle to maintain our freedom," said John M. Snyder, CCRKBA Public Affairs Director.

"In this spirit, I am happy to nominate Michael M. Guzman as CCRKBA Gun Rights Defender of the Month for September. He is a most articulate defender of our right to keep and bear arms, and already has demonstrated his tremendous leadership ability in promoting our gun rights. He certainly is most deserving of this Award."

Born December 19, 1983, Michael, now 24, is President of Students for Concealed Carry on Campus, www.ConcealedCampus.com.

Mike is a senior majoring in economics at Texas State University. He served in the United States Marine Corps from October 2002 through October 2006.

Mike's development as a gun rights youth leader has a solid intellectual basis.

He told Point Blank, for instance, that, "as a 21 year old Marine, I felt that only the military and police should be allowed to own handguns, military style assault rifles and fully automatic weapons. I felt that only shotguns and hunt-

ing rifles for sporting use should be allowed to the public. I was very ignorant and ill informed at the time and this was only less than three years ago.

"A friend recommended a book to me that completely changed my perspective on firearms: Unintended Consequences by John Ross. It's a roughly 900 page book that I finished in about a week. It caused me to learn more about firearms in a historical context as well as current academic research. I now believe citizens have the right to own all classes of firearms."

When a madman went on a shooting rampage at Virginia Tech on April 16 last year and killed 33 people, himself included, the issue of guns on campuses throughout the United States erupted into one of the most hotly debated domestic controversies in recent years.

As Mike Guzman tells it, "the day of the Virginia Tech shooting, I was in between classes at a computer lab and saw that there had been a shooting. I did not pay much attention. All day, I heard other students talking about the shooting but I didn't really care. I felt it was just another school shooting and not that big of a deal. It was not until the day after that I realized the magnitude of this shooting and I was shocked - not so much shocked by the death toll, but shocked because I had become desensitized to school shootings to believe they were not all that newsworthy. I saw a news story about the newly created Students for Concealed Carry on Campus and I joined immediately."

Students for Concealed Carry on

Campus (SCCC) is a national, non-partisan grassroots organization of over 30,000 college students, college faculty members, parents of college students and concerned citizens (about 90 percent college students and 10 percent faculty, parents and concerned citizens) who support the right of concealed handgun license holders to carry concealed handguns on college campuses.

In the wake of recent school shootings, such as the massacre at Virginia Tech, SCCC contends it is now abundantly clear that "gun free zones" serve to disarm only those law-abiding citizens who might be able to mitigate such tragedies.

SCCC has two main objectives. The first objective is to educate the public about the facts of concealed carry and dispel the many myths about concealed carry. The second objective is to push state legislatures and school administrations to grant concealed handgun license holders the same right - the right to carry concealed handguns - on college campuses that these license holders currently enjoy at most other places.

"Some time after joining SCCC," Mike tells Point Blank, "I became a director of the board and eventually was elected our first President. Sadly, I must resign in the coming months. I've been recalled to active duty with the Marine Corps and must report on January 5 to serve a tour in Iraq. I'm not in the least bit bitter about being recalled. I feel that Iraq is a vital war and must be won and I am honored to serve my country again."



QUICK SHOTS

After the U.S. Supreme Court ruled in June that the District of Columbia ban on handgun possession in the home violated the Second Amendment protection of individual gun rights, the Board of Supervisors of Morton Grove, Illinois voted 5-1 to repeal the village ban on handgun possession, although it let stand its ban on handgun sales. The action is significant since Morton Grove was the first political municipality outside the federal city of Washington, D.C. to ban private handgun possession, which it did in 1981. The District's ban came six years earlier. Officials in Wilmette, Illinois also voted out that locality's handgun ban. "In my mind, we had to repeal," said Wilmette Village President Chris Canning, who also is a lawyer. "I knew that our ordinance would not survive constitutional scrutiny." Gun rights advocates are working to overturn gun bans in other Chicago suburbs, such as Evanston and Oak Park.



In Chicago, anti-gun Mayor Richard Daley reportedly may not fight 100 percent against a legal move to overturn the Windy City's handgun freeze. Until recently, Daley had been saying he would defend the Chicago ordinance all the way up to the Supreme Court despite what he referred to as the Court's dangerous precedent in the District of Columbia v. Heller case. Newspaper editorials urged Daley to throw in the towel rather than spend millions on legal costs in a fight he can not win. The mayor was asked at a press

conference last month if he would continue the legal fight to keep the ban. He said, "We don't know yet. We're not going to run away. We're going to try to figure this out." He said city attorneys would simultaneously contest the law and work on a possible replacement. He said also that Chicagoans with guns in their homes might be required to have insurance to protect taxpayers from frivolous lawsuits. "We're talking about putting first responders in a very, very delicate position of people being armed without being notified how many guns they have in their homes," he said. "We have to be able to fashion a law that truly protects first-responders and protects the citizens."



In Washington, D.C., anti-gun Rep. Carolyn McCarthy of New York, with over a half-dozen gun grabbing cosponsors, introduced a bill, H.R. 6676, to require background checks for employees authorized to possess or transfer firearms or ammunition in the course of a licensed firearms business. It was referred to the House Judiciary Committee, under the chairmanship of anti-gun Congressman John Conyers of Michigan.



In Crawfordville, Tennessee last month, two men tried to rob the owner of a business, but the owner pulled out his gun and scared the

would-be robbers away. The incident occurred on a Saturday evening at the Premier Motorcar Gallery, according to the Wakulla County Sheriff's Office. The business owner was exiting the front door of his business carrying a small bank bag and had turned around to lock it when one of the men ran up and hit him in the head with a 2-by-6 board. The owner fell to the ground but was able to get a handgun out of his rear waistband and point it at the robber. Another man was running toward them, but the two turned around and ran to a waiting car when they saw the owner was armed.



Anti-gun Reps. Mark S. Kirk of Illinois and Carolyn McCarthy of New York introduced H.R. 6664, to prohibit anyone who has been notified by the Attorney General that the license issued to the person to deal in firearms has been revoked, or that the application of the person to renew such a license has been denied, to transfer a firearm from the business inventory into a personal collection of that person, an individual described in law with respect to the person, or an employee of the person. It was referred to the House Judiciary Committee.



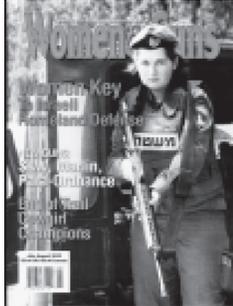
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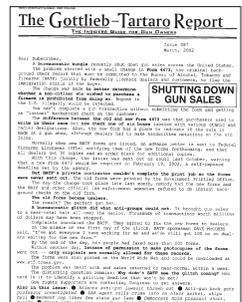
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The Gottlieb-Tartaro Report:

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