

THE PREEMINENCE OF OUR RIGHT TO BEAR ARMS

By John Michael Snyder,
Editor, POINT BLANK

With all kinds of reports these days from Washington, D. C. and, indeed, from national capital cities around the world, it is no wonder that the public consciousness sometimes becomes so flooded with information that people often lose sight of what's really important.

In another sense, though, these same reports, if thoughtfully considered, can lead to a greater awareness of what truly is significant.

Consider, for instance, what probably is the number one news story these days, the continuing flood of reports questioning the personal character, the integrity, of President Clinton. In one way, this really should come as no great surprise to us. When Clinton, the most anti-gun owner President in the history of the United States, first began promoting his anti-gun agenda from the White House, we and others pointed out quite clearly that he was deceitfully using one issue, crime control, in actuality to promote another, the undermining of the individual Second Amendment right of law-abiding citizens to keep and bear arms.

Clinton used his office to promote a ban on the manufacture of certain semi-automatic firearms and to promote the handgun purchase waiting period in the Brady Law, which waiting period sunsets later this year as a universal, instantaneous, point of firearm purchase system takes effect. He sold both of these ideas as crime fighting measures while their actual effect was to eviscerate the ability of law-abiding citizens to obtain certain firearms or to weaken their ability to obtain others.

Under the guise of much-needed "asset forfeiture reform," his Justice Department has been promoting a bill, H. R. 1965, to allow anti-gun prosecutors to seize assets without ever having to show probable cause that such seizure was lawful, and permitting government agents to examine those same assets in "discovery" proceedings to "justify" the seizure. CCRKBA and other pro-gun and civil rights groups, by contrast, support a proposal, H.R. 1835, which would prevent the government from unlawfully seizing a firearms store's entire business and would protect fundamental property rights of such businesses as well as those of innocent individual firearms owners.

Consider the controversy surrounding the recent accession to the Surgeon Generalship of the United States of anti-gun Dr. David Satcher. A reading of this month's POINT BLANK center section article will indicate what's really behind anti-gun medical attacks.

Consider, too, some of the news coming from other parts of the world. The articles on page two of this month's POINT BLANK show clearly why the right of law-abiding citizens to keep and bear arms for our own protection and for the protection of our loved ones is so very, very important.

Some naive, misinformed or ill-informed people seem to think that the Second Amendment, the right to keep and bear arms, is an anachronistic concept which is a throwback to the early years of our nation's history and has no place in modern society. But they're out of it. They're really out of touch. This right is as important today as it was when it was adopted by our Founding Fathers. A thoughtful

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

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**CITIZENS
COMMITTEE
FOR THE RIGHT
TO KEEP AND
BEAR ARMS**

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CCRKBA SEES NEED FOR GUNS AGAINST TERRORISM

"Contemporary national and world events show the need for the individual right of law-abiding citizens to keep and bear arms," John Michael Snyder, CCRKBA Public Affairs Director, stated last month in Washington, D. C.

"Many times," he continued, "gun grabbers, unthinking do-gooders, media-hungry politicians and mediocre media representatives argue that 'we don't need guns in today's society,' 'this isn't Dodge City,' 'this isn't the wild, wild west,' 'people don't need guns to defend themselves today,' 'only Neanderthals think there's a need for guns in the hands of civilians today,' and other such nonsense.

"Well, let them read the newspapers or listen to the radio or pay attention to some of the factual material presented on television.

"It's not just Gary Kleck's tremendous research, invaluable as that is, which supports our contention that individual, law-abiding citizens need, that's right, need, the right to keep and bear arms for their own protection, for their own safety, for their family's safety, and for the safety of society at large.

"Hardly a week, or even a day, goes by when we don't learn about some law-abiding citizen somewhere in the United States preventing a crime or stopping a violent attack on himself or herself or some other innocent person with the use of a firearm, often a handgun.

"The same message comes in loud and clear from overseas as well.

"A recent statement by an extremist group calling for the murder of Americans anywhere in the world shows the necessity of maintaining the means necessary for the individual right to self-defense.

"It most certainly underscores the fact that the Second Amendment individual right of law-abiding American citizens to keep and bear arms is at least as relevant today as it was when it was adopted. Snyder continued.

"Without the right to keep and bear arms, law-abiding citizens simply would be at the mercy of people bent on murder. The statement calling for the killing of Americans anywhere in the world, and anywhere in the world includes within

the United States itself, shows that we live in an age of peril, and that citizens should be able to protect themselves from danger should they feel the need to do so."

The statement calling for the killing of Americans "anywhere in the world" came in the form of a "fatwa" or religious ruling issued by militant Islamic groups.

In bringing this information to the attention of our readers, POINT BLANK realizes full well that this anti-American militancy is not necessarily characteristic in general of Islam, Mohammedanism, the Muslim religion or of adherents to the movement founded by Mohammed.

The militant statement itself, though, came to our attention through the office of Sen. Jon Kyl of Arizona, Chairman of the Senate Judiciary Subcommittee on Technology, Terrorism and Government Information.

"Additionally," said Snyder, "in recent months and years, for instance, militant terrorists in Algeria have been murdering, and murdering in the most brutal manner, tens of thousands of peaceful citizens.

"Many of the people there who are still alive are taking up small arms, yes, small arms, including handguns, because they want to stay alive. They want to be able to defend themselves if and when the need arises.

"If the situation in Algeria shows nothing else, it shows for all the world to see, including the short-sighted, narrow-minded gun control promoters right here in the United States, that the right to keep and bear arms is necessary today for self-defense, for self-preservation, for maintaining life itself."

Snyder based his comments on an analysis of news reports emanating from conflict-ridden Algeria in recent months.

Youseff M. Ibrahim reported in the NEW YORK TIMES about several incidents including, one about Houria Sedat.

"Houria Sedat was well on her way to becoming a national judo champion at age 22 when, she said, she got a letter ordering her to stop practicing the sport, wear a veil and stay home. She ignored it.

"A week later, on July 21, 1994, five men burst into her family's apartment

With her mother and three other siblings made to watch, her 16-year old brother, Mourad, his mouth wrapped with masking tape, was held to the ground. One of the men slit his throat.

"I saw him trembling like a sheep," she said, staring at a glass of mint tea left untouched during a two-hour conversation. She recounted how 10 months later, on May 18, 1995, the killers returned and shot her 57-year-old mother to death. A year later, they killed her second brother.

"Today Miss Zedat wears bright red



POINT BLANK

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

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JAMES C. SCHNEIDER, CCRKBA DIRECTOR AND GUN RIGHTS ACTIVIST, DIES

It is with a sense of deep loss that we print the following obituary. Jim Schneider has been a true friend to all gun owners. We extend our most sincere sympathy to his family.- Directors and Staff of the Citizens Committee for the Right to Keep and Bear Arms.

James C. Schneider died in his native Evansville, Indiana at 53 on March 18 of complications resulting from a traffic accident one week earlier.

Schneider was a Board of Directors member of the Citizens Committee for the Right to Keep and Bear Arms (CCRKBA), a position to which he was elected in 1988. He also was legislative editor for *The New Gun Week* since 1979, and for several firearms monthlies.

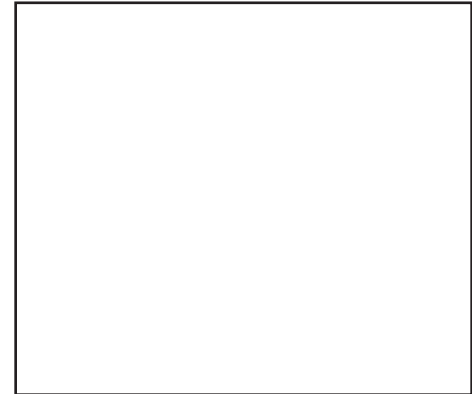
"Jim was always able to see through the intrigues of the anti-gunners. He was invaluable to the pro-gun movement," stated CCRKBA Chairman, Alan M. Gottlieb. "Behind his gentle demeanor and jovial laugh, was a man with a passion for the right to keep and bear arms," concluded Gottlieb.

His long involvement in firearms issues dating back to his earlier role as editor of *Gun Week* from the early 1970s

until mid-1979, while it was published by Amos Press in Sidney, Ohio, had made him one of the most experienced and knowledgeable commentators in the field and an advisor sought out by many active and former pro-gun leaders, including the late Harlon B. Carter, former executive vice president of the National Rifle Association.

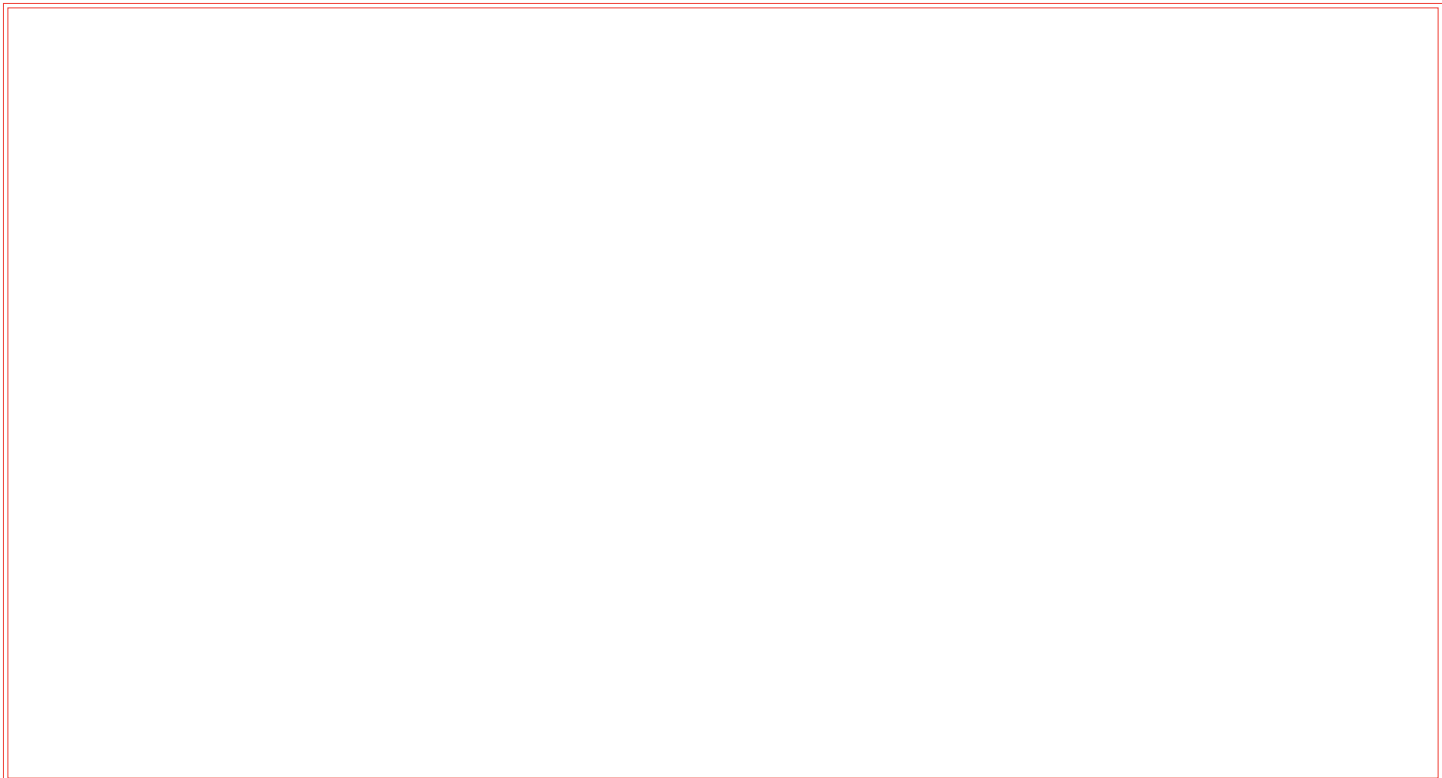
"Jim had been on a first name basis with almost everyone in the pro-gun movement for more than 20 years," said Joseph P. Tartaro, executive editor of *The New Gun Week* and President of the Second Amendment Foundation (SAF). "He will be sorely missed, not only by his co-workers, but by activists and leaders of countless state, and national organizations, and everyone who knew him."

In addition to his regular work for *The New Gun Week*, Schneider wrote for to other SAF periodicals, *Women & Guns* and *Gun News Digest*. He was also legislative editor for *Shooting Industry*, a trade publication, and *Muzzle Blasts*, the monthly magazine of the National



Muzzle Loading Rifle Association, and *Trap & Field*, the monthly magazine of the Amateur Trapshooting Association.

Jim was educated at the University of Evansville and the University of Indiana. He lived in Evansville, Indiana. He is survived by his children, a daughter Heidi (Randy) Land and son, Hans, both of Evansville, and his mother Mrs. William Schneider and brother, David, both of Sidney, Ohio.



CCRKBA PHYSICIAN-AWARDEE EXPOSES SO-CALLED "MEDICAL" ATTACKS ON A

The struggle in the United States to preserve the individual Second Amendment right of law-abiding citizens to keep and bear arms is an ongoing battle.

The gun grabbers, the gun control spokesmen and spokeswomen, the anti-gun politicians, the biased anti-gun owner media representatives and all kinds of people who just can't stand the thought of average citizens owning firearms will say or do anything, apparently, to undermine our rights.

They refuse to accept the demonstrated effectiveness of the right to keep and bear arms for the protection of your life and the lives of your loved ones, for the safety of the public at large and for other good purposes.

They devise all kinds of schemes in their ongoing attempt to obliterate the Second Amendment right to keep and bear arms.

One of the most attention-getting means they use is their argument that gun ownership *per se* is a health menace and that such ownership, therefore, ought to be reduced by drastic measures if not eliminated.

They enlist medical personnel to further their claim in an attempt to grab public support for their proposals. One of the most notable of these, of course, is Dr. David Satcher, the recently appointed and confirmed Surgeon General of the United States. In his previous position as Director of the Centers for Disease Control and Prevention (CDC), Satcher, under the guise of fighting crime, supported research which portrayed gun ownership as a hazardous activity.

Fortunately, though, there are those stalwart individuals in the medical profession who have taken it upon themselves, as part of their patriotic duty as well as part of their commitment to the service of truth itself, to examine closely and to pierce the veil of emotion which covers over the phony arguments of gun grabbing medical personnel.

One of these stalwarts is Timothy Wheeler, M. D., Director of Doctors for Responsible Gun Ownership, a Project of the Claremont Institute, and

a CCRKBA Gun Rights Defender of the Month Awardee.

In a recent Claremont news and information article, "Passions and Politics: Doctors' Feelings About Guns," Dr. Wheeler wrote "the American College of Physicians (ACP) has published a group of articles about firearms in the February 1, 1998 issue of the ANNALS OF INTERNAL MEDICINE. Most people would find it strange that medical doctors would consider themselves experts on guns. But closer examination of the articles shows no incongruity. Although the ANNALS is a medical science journal, these articles are not about science; they are about feelings. And the ACP's policy on firearms is based not on empirical study, but on political beliefs."

An analysis of the most publicized of these articles, Cassel CK, Nelson B., "Internists' and Surgeons' Attitudes Toward Guns and Firearm Injury Prevention," ANNALS OF INTERNAL MEDICINE 1998: 128:224-30, writes Dr. Wheeler, "brings out several flaws. First, although it is presented in a scientific format the article is not a scientific study. It is a survey of cultural values held by doctors about a subject outside their professional expertise. Second, the article's authors sought guidance not from the scientists who know firearms, but from prominent gun prohibition activists.

THIRD WEAKNESS

"The third and most significant weakness is the authors' failure to address the prevailing view of criminologists: that gun ownership by responsible citizens does not cause an increase in violence, and even appears to be associated with a decrease. (Kates D, Kleck G, THE GREAT AMERICAN GUN DEBATE: ESSAYS ON FIREARMS AND VIOLENCE, Pacific Research Institute for Public Policy, San Francisco, 1997, page 34.)

"The authors performed a telephone survey of physicians using a list of 55 questions. The questions addressed knowledge about public policies on firearm violence, attitudes about those policies, and whether physicians incorporated

these attitudes into their daily work with patients. Since the actual survey questions are not included in the article, we cannot say with certainty that they were biased.

"But the wording of some survey variables indicates frank prejudice, or at best a surprising knowledge deficit. Use of the inflammatory term 'assault guns' (Cassel CK, et al., Table 5, page 228) could well mislead the uninformed respondent. The designation no longer means a selective-fire (either semiautomatic or fully automatic) military rifle. The popular image of an assault gun or weapon is now virtually any military-looking gun capable of semiautomatic fire. Although semiautomatic firearms have been in common civilian use for 100 years, their ownership has now been thoroughly demonized by a decade of negative media propaganda.

"In the same table we see the specific measure 'ban plastic guns,' presumably a means to prevent criminals from slipping radiolucent guns through airport metal detectors. The reader is led to believe that such a gun actually exists. The plastic gun myth began in the 1980s with the introduction of the Glock pistol. (Kleck G, POINT BLANK: GUNS AND VIOLENCE IN AMERICA, Aldine de Gruyter, New York, 1991, page 82.) The Glock does have several parts made of a synthetic polymer. But this gun and others like it have always contained enough metal parts (barrel, slide, recoil spring) to make them easily detectable by airport X-ray machines. There has never been a plastic gun to ban. Still the myth endures, and 94 percent of the internal medicine doctors and 87 percent of the surgeons supported a ban anyway.

"Further, evidence of the survey's unscientific basis is found in the supporting references. Literature citations for scientific articles are meant to show a foundation of previous scholarly work. But the ANNALS authors built on a foundation of sand: out of 66 references cited by the authors to support their claims, 44 were letters to editors and opinion articles. Another 15 were from public health journals or writers with

EXPOSES BIAS AND PREJUDICE IN AMERICAN FIREARMS OWNERSHIP

admitted bias against firearms. Only one reference was a neutral statistical source. And even though criminology research on guns is far more abundant than medical research, only two references listed these sources.

"In the last decade great advances in scientific knowledge and practical experience have shaped policy on concealed carry of firearms. Voters in 31 states have passed laws allowing law-abiding, mentally competent citizens to carry firearms for self-defense. By now it is clear that licensed citizens can be trusted to carry concealed weapons safely and responsibly. (Cramer C, Kopel D. 'Shall Issue': The New Wave of Concealed Handgun Permit Laws, Issue Paper from the Independence Institute, October, 1994.)

"Yet there is no indication that the ANNALS survey questioned respondents about their knowledge of concealed carry laws or their success. Did the authors believe this profound change in firearm laws to be irrelevant to a discussion of firearm policy? Or did they simply ignore it as an embarrassing contradiction to their anti-gun agenda?

CHOICE OF ADVISORS

"The authors' choice of advisors further weakens their scientific case. They could have relied on the counsel of criminologists, the real experts in gun violence. Instead, they were advised by pediatrician Katherine Kaufer Christoffel, the head of the Handgun Epidemic Lowering Plan (HELP). HELP is an exclusive political advocacy group dedicated to banning guns. Physicians who disagree with HELP's anti-gun agenda are not even allowed to attend HELP's conferences. The ACP itself is a member of HELP. This affiliation does not improve the ACP's image as a champion of objective truth.

"The authors also acknowledge the assistance of Johns Hopkins University lawyer and anti-gun activist Stephen Teret and Centers for Disease Control and Prevention (CDC) researcher James A. Mercy, Ph.D. The CDC lost its federal funding for firearms research because of its frank anti-gun

political advocacy. (Report from the Committee on Appropriations, U. S. House of Representatives: Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Bill, 1997, page 49.) Such flagrant prejudice would swiftly disqualify these consultants if the subject were, for example, a new treatment for cancer. But since the subject is anti-gun owner advocacy, their anti-gun owner prejudice is seen by the ANNALS editors as a prized credential. And the wholesale omission of any contrary evidence is seen simply as an aid to spreading the anti-gun gospel.

RESEARCH IGNORED

"Why did the authors ignore 20 years of criminology research on firearms? And why did the ANNALS editors let the omission go uncorrected? They cannot possibly be unaware of the National Institute of Justice-sponsored research of Wright and Rossi, ARMED AND DANGEROUS: A SURVEY OF FELONS AND THEIR FIREARMS, Aldine de Gruyter, New York, 1986, or the peer-acclaimed work of Gary Kleck, POINT BLANK: GUNS AND VIOLENCE IN AMERICA, Aldine de Gruyter, New York, 1991. How could Dr. Cassel and her co-authors have missed Lott and Mustard's highly publicized University of Chicago study of concealed firearms for self-defense, 'Crime, Deterrence, and Right-to-Carry Concealed Handguns,' JOURNAL OF LEGAL STUDIES 1997, 26:1, University of Chicago Press?

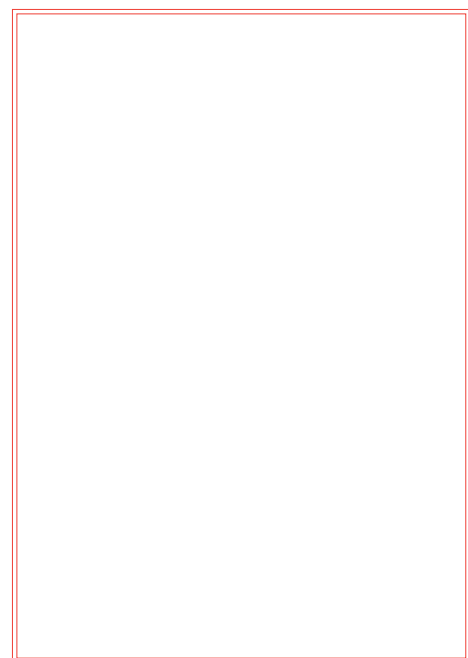
"We can easily answer all these questions by recognizing that neither the authors nor the editors have any interest in science here. Their objective is to portray firearms as undesirable and worthy of prohibition. The reason none of these landmark studies were mentioned is that every one of them confirms the efficacy of self-defense with a gun.

"Perhaps the most telling conclusion of the article is that the surveyed doctors failed to practice what they felt. Even

though a large majority of the surveyed doctors (87 to 94 percent) felt that firearm violence is a public health issue, only a tiny fraction (two to four percent) said they frequently talk to patients about firearms in the home. This may be an indication that despite a general concern about firearm injuries, doctors do not see politically motivated patient counseling as appropriate professional conduct.

"Psychiatry research has defined physician sexual misconduct as an abuse of trust or a violation of boundaries. Likewise, physician behavior aimed at influencing patients' political beliefs may constitute a nonsexual physician boundary violation. (Epstein R, Simon R., 'Assessing Boundary Violations in Psychotherapy: Survey Results With the Exploitation Index,' BULLETIN OF THE MENNINGER CLINIC 1992, 56:2, pages 165-166.) In this light, gun politics in the doctor's exam room takes on a far more serious tone. The majority of doctors in the ANNALS survey may well recognize the danger and refuse to participate.

"Finally, none of this analysis is meant to question the authors' earnest desire to reduce firearm injuries. All physicians and responsible gun owners share that



MASON LAW PROFESSOR CCRKBA RIGHTS AWARDEE

Bruce H. Kobayashi, Associate Professor of Law at George Mason University School of Law in Arlington, Virginia, is the designated recipient of the CCRKBA Gun Rights Defender of the Month Award for April.

In nominating Kobayashi for the Award, John Michael Snyder, CCRKBA Public Affairs Director, said that "Bruce is one of the finest intellectual battlers for the individual right of law-abiding citizens to keep and bear arms on the scene today. He has a doctorate in economics from the University of California -- Los Angeles. He has put his fine mind to work in support of traditional American liberties and certainly is most deserving of this Award."

Bruce developed a concise and incisive analysis of the gun control movement's legislative objectives, strategies and tactics in his essay on "Gun Control, Strict Liability, and Excise Taxes" for inclusion with a number of authors' articles on *TAXING CHOICE: THE PREDATORY POLITICS OF FISCAL DISCRIMINATION* as edited by W. F. Shughart.

"Legislative proposals to limit the private ownership of firearms have proven a popular tool for lawmakers attempting to convince their constituents that they are fighting crime," he noted. "Recent state and federal legislation has proposed to tax or otherwise restrict the private ownership of certain 'styles' of firearms, to limit the availability of certain types and calibers of ammunition, to impose liability on manufacturers and retailers of firearms, and to increase the transaction costs of purchasing firearms..."

"While the production of piecemeal legislation seems counterproductive from an efficiency standpoint, its political popularity is not surprising. While advocates of gun control would prefer broad-based uniform federal restrictions on the private ownership of firearms, such broad-based bans, which would likely require the confiscation of private property, currently do not have popular support. Such a widespread prohibition on the private ownership of firearms would require costly expenditures on law enforcement, and would likely face constitutional challenges..."

"Given the political and legal problems facing those wishing to enact widespread federal restrictions on firearms, proponents instead demand narrowly defined piecemeal legislation, hoping to expand its scope administratively after passage or to argue for more sweeping restrictions when the narrow restrictions fail to produce any observable benefits. Legislators, facing a myopic constituency, routinely dismiss the intangible benefits of general firearm ownership (e.g., the effect widespread firearm ownership has on the general deterrence of crime and tyranny) and then supply gun control legislation in order to avoid being accused of 'doing nothing' about the tangible costs of firearm ownership (death and injury caused by firearms)..."

"The difficulties of enacting widespread restrictions on the private ownership of firearms through the legislative process have led advocates of gun control to seek alternatives to bald restrictions on private ownership and to use the legislative process to enact indirect restrictions on gun ownership. Specifically, proponents of restrictions on the private ownership of firearms recently have suggested 'taxing' rather than banning firearms and ammunition. Further, given the likely difficulties they would face in obtaining direct taxation through legislation, they suggest that a similar result might be achieved through the courts by imposing strict liability on manufacturers and distributors of firearms."

"Economic analysis suggests that the general taxation of firearms, whether directly or through the imposition of strict liability on manufacturers of firearms, is not an efficient means of reducing crime. Relative to an approach that distinguishes between legal use and misuse of firearms and punishes only the latter, generally taxing firearms provides weaker disincentives to misuse firearms and punishes those who do not misuse them. Further, a general tax on firearms may result in the commission of more violent crimes if widespread and legal ownership of firearms serves as a general deterrent to crime."

"Thus, contrary to the claims of its pro-

ponents, the case for taxation and strict liability rules for the sale and manufacture of firearms is not based on economic efficiency - rather, it is rooted in a desire to reduce general firearms ownership or to provide a system of social insurance. And as has been noted generally, use of strict liability or direct taxes to provide social insurance for persons injured or killed by firearms invariably distorts economic incentives and is likely a relatively inefficient means of providing such insurance..."

"Existing evidence on the effects of gun ownership on the rate of violent crime and the effects of current gun laws on the rate of violent crime suggests that most government regulation of firearms would not pass a cost-benefit test, and certainly would fail the high standards of rationality and tailoring requirements applied to government regulation of other constitutional rights. Further, given that the difference between the imposition of a selective excise tax and an absolute prohibition on the ownership of firearms is largely a matter of degree, a generalized excise tax imposed through the courts can raise the same type of constitutional issues that would be raised by direct prohibition. Further, even in court-imposed liability verdicts that only moderately increase the price of firearms present less general danger to the Second Amendment, such price increases can raise equal-protection issues if their primary effect is to disarm the law-abiding poor - arguably the population that would benefit the most from the generalized private ownership of firearms."

Professor Kobayashi's writings have appeared in numerous scholarly journals, including the *JOURNAL OF LEGAL STUDIES*, the *JOURNAL OF LAW, ECONOMICS AND ORGANIZATION*, the *RAND JOURNAL OF ECONOMICS*, and the *INTERNATIONAL REVIEW OF LAW AND ECONOMICS*.

His recent publications on firearms include "In re 101 California Street: A Legal and Economic Analysis of Strict Liability for the Manufacture and Sale of Assault Weapons," co-authored with Professor Joseph Olson, appearing in



QUICK SHOTS

In Sacramento, California, a state appeals court last month struck down the heart of a state law that banned 62 models of so-called "assault rifles," saying the ban violated the equal protection provisions of the Constitution because many of the guns were no different from guns sold legally.

"The listed guns are no more dangerous in the hands of criminals than the functionally indistinguishable guns," said the decision, issued on March 4 by the Third District Court of Appeal, in Sacramento.

The ruling, written by Justice Fred Morrison, also suggested that other provisions of the law might be unconstitutional, and asked a lower court to review them.

"This is the death knell" for the statute, said Chuck Michel, a Los Angeles lawyer who represents the gun maker Colt Manufacturers, one of the plaintiffs. "This is a victory for any citizen who doesn't like symbolic, feel-good laws that are filled with technical flaws."

The law was enacted in 1989 after a crazed gunman armed with a so-called "assault rifle" killed five pupils at an elementary school in Stockton.



Also in California, pro-gun Assemblyman Tom Bordonaro lost a special election for the U.S. congressional seat left vacant by the death of Rep. Walter Capps. Capps' widow, Lois, won the seat. Bordonaro, though, announced he would run again for the congressional seat in the regular election later this year.



In Washington, D. C., the U. S. House of Representatives, by a rollcall vote of 350 to 59, agreed to the motion to suspend the rules and pass the bill (H.R. 424) that would impose mandatory minimum sentences for possession of a gun while committing a violent crime

or drug-trafficking offense.

The measure's supporters said it is designed to correct what they consider a flawed interpretation of the 1994 crime law by the U. S. Supreme Court.

The original crime bill created a mandatory minimum sentence of five years for anyone who "uses or carries" a firearm in the commission of a crime. In the 1995 decision *Bailey v. United States*, the Court ruled that government prosecutors must demonstrate "active engagement" of the firearm in commission of a crime.

The new measure would stipulate that the provision would apply not only to those criminals who brandish or fire a gun, but also to those who just "possess" one while committing a violent crime. The 1994 law covered those who "use or carry" a firearm.

In addition, it would impose new mandatory minimum sentences beyond those for possessing a gun during a crime. Brandishing a firearm during a crime would be punishable by a 15-year minimum sentence. Firing it would result in a sentence of 20 years. In the case of a second conviction for possession, criminals would face 20 years in jail, while a second offense for brandishing a weapon would result in a 25-year sentence.

Rep. Bill McCollum of Florida, Chairman of the House Judiciary Subcommittee on Crime, responding to concerns that the legislation would affect negatively citizens who use guns in self-defense or those who possess a gun in proximity to a crime scene, said "the answer is no."

"The government must prove," he said, "that the gun furthered or was used during and in relation to the commission of a federal violent crime or drug-trafficking offense."

Rep. Phil Crane of Illinois, holder of CCRKBA Gun Rights Defender of the Year and CCRKBA Lifetime Achievement Awards, said the bill "gets tough on the right people."



In Philadelphia, Pennsylvania, gun

grabbing politicians are considering filing an unprecedented lawsuit against gun manufacturers that they say is designed to recover costs of firearms violence.

Anti-gun Mayor Ed Rendell reportedly is eager to speak with other cities interested in doing the same.

A draft of the proposed Philadelphia suit, reports Joyce Howard Price in THE WASHINGTON TIMES, shows it would be modeled after actions that dozens of state attorneys general brought against the nation's largest tobacco manufacturers to recover the costs of treating smoking-related illnesses.

If filed, the Philadelphia suit, which would target the nation's nearly four dozen gun manufacturers, would argue that gun makers have created a "public nuisance" by knowingly flooding cities with more handguns than they could expect to sell to law-abiding citizens.



Tom Wales, a federal prosecutor who chaired the unsuccessful campaign for the anti-gun Initiative 676 in Washington State last year, defending the campaign as promoting safety, wrote in THE WASHINGTON POST that "the most obvious lesson may be that a statewide campaign will be successful only if efforts go forward in several states simultaneously or are launched in contentious election years."

Commenting on Wales' column, Dave Jensen wrote in THE WASHINGTON POST that "I-676 was not about safety. It was about licensing gun owners, and about some government body deciding who can retain his civil rights and who cannot."

"Although some big city elected officials called 'police chiefs' endorsed I-676, the majority of rank and file law enforcement in Washington State rejected it as bad law."

The defeat of I-676 was a major victory for the CCRKBA National Headquarters Staff in 1997.

NEW AD FOR 4 PUBLICATIONS

