

# POINT BLANK

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



**July  
2011  
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## **CITIZENS COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS**

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## **CCRKBA CALLS FOR SPECIAL PROSECUTOR**

CCRKBA has taken direct aim at those government officials who are supposed to be responsible for the enforcement of United States firearms laws.

The verbal targeting followed hours of testimony by Sen. Chuck Grassley (R-IA) last month before a House of Representatives committee, government whistle-blowers and relatives of a killed Border Patrol agent.

CCRKBA called for the immediate suspension, without pay, of all supervisors involved in the controversial gunrunning sting operation. These personnel include the acting director of the Bureau of Alcohol, Tobacco, Firearms and Explosives and his deputies.

CCRKBA demanded the appointment of a special prosecutor to investigate and determine who initiated this project and who approved it.

Operation Fast and Furious was the ATF's botched gun trafficking investigation that allowed more than 2,000 firearms into a criminal pipeline leading straight into Mexico. Last month's revelations by ATF agents, who were under oath before the House Committee on Oversight and Government Reform chaired by Rep. Darrell Issa (R-CA), led to stunning suggestions that there were willful violations of ATF policy and procedures that allegedly were ordered by supervisors in Phoenix, Arizona with the knowledge of the agency hierarchy in Washington, D.C.

"The hearing revealed one outrage after another," said CCRKBA Chairman Alan M. Gottlieb. "Everybody who has been involved in this debacle must be held accountable. That can happen only if there is an independent prosecutor, someone who cannot be influenced by the Justice Department."

ATF is part of the Justice Department.

Gottlieb said, "It is clear that members of Congress have been stonewalled. We share Congressman Darrell Issa's outrage at the conduct of the Justice Department, and particularly the ATF. They're supposed to be preventing criminals from getting firearms, not facilitating it.

"We think an independent prosecutor is important for another reason," Gottlieb noted. "Attempts by some members of the House Oversight committee to politicize this investigation are disappointing. Finding the truth about how this operation went wrong is not a launch pad for some new gun control effort. Don't blame our gun laws and gun rights for the criminal acts of people who should have been arrested before anybody got killed.

"For the present, the ATF immediately should be put under the command of people who understand clearly that it is their job to prevent illegal gun trafficking, instead of allowing it to happen. There has been a serious lack of leadership and accountability, and that needs to be fixed."

# “UNDER THE RADAR” DEMANDS RESPONSE

“The revelation that President Barack Obama is trying to impose more gun controls on law-abiding American citizens ‘under the radar’ demands a response from voters,” John M. Snyder, CCRKBA Public Affairs Director, said.

“It’s time for Americans to support limitations on gun controls, to curtail through congressional action the anti-gun programs of administration bureaucrats, and to get ready to remove Obama and his administration in the November 2012 election.”

*The Washington Post* reported that Obama discussed his administration’s gun control intentions with Jim Brady and Sarah Brady, who founded the anti-gun Brady Campaign to Prevent Gun Violence.

Sarah Brady reportedly said Obama stated: “I just want you to know that we are working it (gun control). We have to go through a few processes, but under the radar.”

This revelation causes gun owners and people supporting the right to keep and bear arms to wonder what, exactly, Obama means by “under the radar.”

Sarah Brady herself provided what she considers at least a partial answer.

She told *The Washington Post* that she and her husband James Brady had absolute confidence that Obama was “committed to regulation.” Government observers think this characterization could include “executive orders.”

As the National Shooting Sports Foundation pointed out, “Identifying and opposing gun control via regulations and executive orders is more difficult than fighting legislation. This strategy is a clear reflection of the House and Senate having pro-gun,

pro-sportsmen and pro-industry majorities.

“Mostly, however, this demonstrates that the concerns held by law-abiding gun owners toward the intentions of the Obama administration may be well-founded. And, of course, restricting the Second Amendment rights of law-abiding Americans is a concern for our industry as well.”

As confirmation, *The Daily Mail* reported, “The Obama administration is exploring tighter regulation on gun policy that can be secured through an executive order bypassing congressional approval, officials have confirmed. The potential crackdown has prompted concern among gun rights groups in the ongoing debate surrounding gun control and Second Amendment rights. Administration officials said talk of executive orders or agency actions are being considered, amidst its crossfire over regulations with a Republican-dominated House.

“The Department of Justice held a meeting on Tuesday – the first in what is expected to be a series, to explore how the administration might be able to rule by decree. Before the meeting, officials said topics of discussion would range from encouraging more thorough background checks and more efficient data-sharing. An administration official told Fox News: ‘The purpose of these discussions is to be a productive exchange of good ideas from folks across the spectrum.’”

Snyder said, “One important development in countering the Obama gun control push is the initiative in the House of Representatives to investigate the activities of the Bu-

reau of Alcohol, Tobacco, Firearms and Explosives. Hopefully, the hearings conducted will lead to a severe curtailing of BATFE prerogatives.

“Another is the introduction on the House of H.R. 1093, the proposed BATFE Reform Act of 2011. It’s been referred to the House Judiciary Committee and to its Subcommittee on Crime, Terrorism and Homeland Security. Its Senate counterpart is S. 835, the proposed BATFE Reform and Firearms Modernization Act of 2011. It has been referred to the Senate Judiciary Committee.”



## POINT BLANK

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

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# CCRKBA SEEKS PROTECTION FOR SOLDIERS' GUN RIGHTS

American servicemen and service-women in combat areas need legal protection for their gun rights and for their right to self-defense.

Rep. John L. Mica (R-FL) is trying to provide that protection. John M. Snyder, CCRKBA Public Affairs Director, is supporting Rep. Mica's efforts. In late May, Rep. Mica offered a service personnel gun rights amendment to the National Defense Authorization bill.

The Mica amendment stipulates that the Secretary of Defense ensure that the rules of engagement applicable to armed forces assigned to duty in a hostile fire area fully protect the service members' right to bear arms. It authorizes the service members to fully defend themselves from hostile actions.

Rep. Mica said he was offering the proposal "on behalf of our troops. I usually don't get involved in armed services matters, but I did have the

opportunity to visit our troops in Afghanistan in March. I was out in some of the forward operating positions in Afghanistan, and I asked the troops a question. You know, sometimes you get a few minutes of quiet time with our troops that are serving us out there in those dangerous areas. And I said, 'When I return to Congress, what could I do to help you do a better job? What would assist you?'

"And every one of them said to me, 'Mr. Mica, could you change the rules of engagement?'"

Congressman Mica said, "I'm offering this amendment on their behalf and on behalf of all the servicemen and women who should be able to defend themselves in hostile areas...I believe that implementing a successful calendar insurgency strategy should not come at the cost of needlessly increasing American or coalition military casualties. If we ask

members of our Armed Forces to risk their lives to protect the home front, we must do all we can to help them with the material and the options and the ability to preserve their lives to fight on our behalf in hostile areas."

Rep. Mica said, "Our troops, our servicemen and women, should not be used as target practice in any hostile theater. They should be given the basic right to bear arms and defend themselves."

The roll call vote was taken, the Mica amendment passed 260-160. The underlying bill passed 322-96 and sent to the Senate.

"Hopefully, U.S. Senators will include this amendment when they consider the National Defense Authorization bill later this year. The individual Second Amendment civil right to keep and bear arms is for all law-abiding American citizens, including our soldiers, Marines, sailors and airmen," Snyder said.

# CCRKBA APPLAUDS WISCONSIN LEGISLATORS FOR CC VOTE

The Citizens Committee for the Right to Keep and Bear Arms congratulated the Wisconsin Assembly for its 68-27 vote that passed the state's long-sought concealed carry measure.

Former Gov. Jim Doyle, a Democrat, had twice vetoed concealed carry legislation adopted by state lawmakers who would not override either veto, due to party partisanship.

"Not surprisingly," Gottlieb noted, "gun prohibitionists have been predicting all kinds of calamity if concealed carry comes to the state. As we

have seen in other states where such common-sense personal safety laws have been adopted, we're confident that the good citizens of Wisconsin will soon prove those predictions were unfounded.

"It is disappointing," he observed, "that some church leaders continue to criticize the legislation, and encourage fear of legally-armed citizens. They must have forgotten the victims of the March 2005 shooting in Brookfield during an evangelical church meeting, who could not defend themselves against Terry

Ratzmann. Perhaps they also forgot that an armed private citizen, serving as a security volunteer, stopped a gunman from opening fire at the New Life Church in Colorado Springs in 2007.

"Wisconsin's new law will enhance public safety," Gottlieb concluded. "We have faith in Wisconsin citizens, who are no different than Americans in other states who already enjoy full exercise of their right to bear arms. This leaves only Illinois in the firearms rights dark ages, but we're patient."

# CRIMINOLOGIST EXPOSES GUN TRAFFICKING MYTH

Criminologist Gary Kleck of Florida State University wrote recently that crime guns do not usually come from an organized black market, but mainly from petty theft and opportunistic dealers.

"In recent decades, advocates of gun control have taken their cause to court, bringing lawsuits that charge the gun industry with negligence because of how it distributes firearms," observed Kleck in a Wall Street Journal article.

"Large-scale traffickers, these suits claim," Kleck wrote, "purchase guns in big batches from corrupt or irresponsible dealers, especially those operating in states with weak gun laws. These guns are then moved to places with stricter laws, where they are sold, supposedly at high markups, to criminal buyers.

"Advocates argue that gun manufacturers and distributors are aware of these illegal practices and could stop them, if they chose to, by refusing to supply guns to problematic dealers. This theory has been embraced by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives, the Brady Campaign to Prevent Gun Violence and even some scholars. They argue that disrupting trafficking operations can have a substantial impact on rates of criminal gun possession and gun violence."

However, stated Professor Kleck, "there is little evidence to support this set of interconnected claims."

He wrote, "The best available study, by researchers at the University of Massachusetts, Amherst, indicates that criminals obtain guns from a wide variety of largely interchangeable low-volume sources. Criminals usually get their guns in one of three

ways: as a by-product of thefts, primarily residential burglaries; by buying guns one at a time from friends and relatives who neither regularly sell guns nor act as 'straw purchasers' (legally qualified buyers who purchase guns for those prohibited from doing so); or, if they have no criminal convictions, by lawfully buying guns from licensed dealers."

Kleck said according to an analysis of federal crime data, "the overall volume of gun theft is huge – at least 400,000 to 600,000 guns are stolen each year in the U.S. This is easily enough to supply the entire criminal population with guns even if they were completely disarmed at the start of each year."

Based on the findings of law enforcement authorities, he noted "the typical trafficking operation handles fewer than a dozen guns each. The ATF uncovers fewer than 15 high-volume operations (involving over 250 guns) in the country each year.

"High-volume trafficking, with or without the involvement of corrupt or negligent dealers, probably supplies less than one percent of the guns in criminal hands. Illicit gun sellers are instead more likely to be burglars who sell a few guns (typically fewer than a half dozen a year) along with all the other saleable property that they steal."

Professor Kleck wrote, "The view that extensive, organized trafficking is important in arming American criminals is based on isolated anecdotes about the occasional large-scale trafficking effort uncovered by law enforcement authorities and on interpretations of highly ambiguous ATF gun 'trace' data.

"When a criminal is arrested and

found to be in possession of a firearm, the police may ask the ATF to trace the gun. This means that its past history, as officially recorded on various legal forms, is established, ideally up to the point when it was first sold as a new gun."

The problem with using these data, Kleck points out, "is that only some crime guns are traced and not representative of the full set of crime guns. Based on such traces, some claim, for example, that most Mexican crime guns originate with U.S. gun dealers. But it's likely that police in Mexico submit for ATF tracing only those crime guns that they believe originated in the U.S. This would be reasonable, since those are the ones that the ATF is likely to be able to trace, but it is not a sample from which to generalize.

"Even if guns of American origin account for only a small share of all Mexican crime guns, they would comprise nearly all of those submitted by the Mexican authorities for tracing by the ATF."

Kleck is the author of "Targeting Guns: Firearms and Their Control."

He wrote in his Wall Street Journal article that as he and his colleague Kevin Wang concluded, "trafficking levels have no measurable effect on the incidence of gun possession by criminals or the rate of violent crime.

"It is hard to avoid the conclusion that strategies aimed at reducing gun trafficking are unlikely to have any measurable effect on gun violence in the U.S. or Mexico. Criminals have plenty of other ways to get guns."

# SENATE BILL TARGETS BATFE ANTI-GUN ACTS

A bipartisan group of U.S. Senators is promoting legislation to curtail the anti-gun rule making initiatives of the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) and the Department of Justice, of which BATFE is a part.

For years BATFE has been seeking to increase its power over federally licensed firearm dealers and through them the tens of millions of law-abiding Americans.

One of the ways it has been seeking to do this is by requiring firearm dealers to report to BATFE all multiple sales of rifles and shotguns. They argue that this is necessary to curtail or stop the flow of guns from the United States into other countries, specifically Mexico.

However, as reports on the Project Gunrunner and Operation Fast and

Furious scandal seem to indicate, BATFE itself is the problem and not the solution to the illegal trafficking in firearms and ammunition.

Possibly, the BATFE's demands for more and more burdensome reporting requirements for law-abiding gun dealers is motivated by a desire to deflect criticism of the agency itself.

Into this situation, Sen. Jon Tester (D-MT) has introduced S. 570 to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns. It has been referred to the Senate Committee on the Judiciary.

It would provide that for fiscal year 2011 and each fiscal year thereafter, no federal funds may be used to require an FFL to report information to the Department of Justice

regarding the sale of multiple rifles or shotguns to the same person.

As of this writing, 26 Senators have signed on as cosponsors. They are Kelly Ayotte (R-NH), John Barrasso (R-WY), Max Baucus (D-MT), Mark Begich (D-AK), Roy Blunt (R-MO), John Boozman (R-AR), Richard Burr (R-NC), Robert Casey (D-PA), Saxby Chambliss (R-GA), Tom Coburn (R-OK), Thad Cochran (R-MS), Michael Enzi (R-WY), Lindsey Graham (R-SC), Orrin Hatch (R-UT), James Inhofe (R-OK), Mike Johanns (R-NE), Joe Manchin (D-WV), Jerry Moran (R-KS), Benjamin Nelson (D-NE), Rand Paul (R-KY), Pat Roberts (R-KS), Marco Rubio (R-FL), Jeff Sessions (R-AL), John Thune (R-SD), David Vitter (R-LA) and Roger Wicker (R-MS).

If your Senators are not on this list, urge them to cosponsor S. 570.

## CITIZEN ACTION PROJECT

The second in a series of Congressional hearings has been scheduled to look into the most massive illegal gun trafficking program ever experienced in U.S. history. Thousands of guns have been allowed to cross the border from the U.S. into Mexico, where they wound up in the hands of drug cartels and gangs. At least two have been used to murder U.S. federal law enforcement agents, while dozens more were used to murder Mexican police officers.

Who could possibly be behind an operation of this magnitude? The Bureau of Alcohol, Tobacco, Firearms and Explosives, the very organization charged with PREVENTING such trafficking. They gave their program names like Project Gunrunner and Project Fast and Furious. Working out of the Phoenix, Arizona office, ATF agents monitored transactions by known gun traffickers, some purchasing dozens of so-called "assault weapons" at a time. All the while the Obama administration was pointing a finger at law-abiding gun dealers, claiming that most of the illegal guns recovered in Mexico came from the honest dealers.

A program of this magnitude could not have been initiated at the local field office level. It had to be approved at the highest levels of the ATF and probably even the Justice Department. It's up to Congress, to ensure that justice is served and those responsible are held accountable for their actions.

Do not let the administration sweep this one under the rug. This undoubtedly goes into the highest halls of federal "law enforcement." Call, e-mail or write to your Congressman and demand that those responsible for the decision-making, not just the grunts on the ground in the desert, pay the full price for their crimes. Contact information for your elected officials is available in the left margin ("Congressional Information") at <http://www.ccrkba.org>.

# LONE STAR LEGISLATOR THE CCRKBA DEFENDER

Texas State Sen. Glenn Heger is the CCRKBA Gun Rights Defender of the Month for July.

John M. Snyder, CCRKBA Public Affairs Director, nominated the Republican legislator from Katy, Texas for the Award.

Snyder said that Sen. Heger for years has been promoting gun rights in the Texas Legislature.

"For years, Sen. Heger has been sponsoring much-needed pro-gun legislation. In particular, he has been working for a law in the Lone Star State that would allow employees to store legal firearms in their places of employment during the work day.

"This year, Sen. Heger accomplished this objective. The State Senate and the Texas State House of Representatives agreed to pass his proposal, and sent it to Gov. Rick Perry, who signed it into law. It takes effect September 1.

Snyder said, "Sen. Glenn Heger has demonstrated his leadership ability in promoting the rights of gun owners. He most certainly deserves a CCRKBA Gun Rights Defender of the Month Award."

When Sen. Heger introduced his measure, Senate Bill 321, in January, it was aimed at preventing employers from adopting policies that would prevent their workers from storing legal firearms on company property, even if securely locked in their vehicles.

Sen. Heger said he proposed the bill in response to overly restrictive policies adopted by some Texas employers.

"When an employer bars firearms on company property, even those safely locked in employees' per-



*Sen. Glenn Heger*

sonal vehicles, they rob their workers of their Second Amendment rights and, even more importantly, their right to safety," said Sen. Heger. "No one should have to choose between protecting themselves and their jobs, and with the passage of this bill, no Texan will ever again face that unfair decision."

He said that, "unfortunately, many Texans have been forced to make the choice between adhering to their employer's policy prohibiting storage of their legally owned firearm in their locked vehicle on company property or risking their employment by exercising their legal right to protect themselves as they make their daily commute."

Sen. Heger said that millions of Texans spend hours each week in their cars and trucks as they commute to and from work, with some commutes taking drivers through dangerous neighborhoods.

Sen. Heger said that the legislation is a common sense measure that balances the rights of both employer and employee.

Under the proposal, employees

will be able to store a legally owned firearm and ammunition in their vehicles while at work, and with it their right to protect themselves as they travel to and from their place of employment.

The legislation likewise recognizes employers, and protects them from any lawsuit resulting from the use of a firearm stored on their property. They retain the ability to forbid their employees from carrying a firearm in company-owned vehicles.

Specifically, the Heger measure with certain exceptions protects an employee of a public or private employer provided the employee holds a license to carry a concealed firearm, who otherwise lawfully possesses a firearm, or who lawfully possesses ammunition.

The legislation is similar to laws now on the books in Alaska, Arizona, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Oklahoma and Utah.

Glenn Heger was born November 25, 1970 in Houston, Texas. He and his wife, Dara, have three children, Claire, Julia and Joseph.

A farmer by profession, Heger earned an LLM in Agricultural Law from the University of Arkansas School of Law in 1998, a JD from Saint Mary's University School of Law in 1997, an MA in International Economic Relations from Saint Mary's University in 1997, and a BA in Political Science and History from Texas Agricultural and Mechanical University in 1993.

He served in the Texas House of Representatives 2002-2006 and has been a State Senator since 2007.



# QUICK SHOTS

In Fort Worth, Texas, a homeowner shot and killed a burglary suspect, police officials said. The shooting occurred on an early afternoon in late May near the Carol Peak Elementary School. The homeowner told police that he had been asleep inside his home when he was awakened by someone at the rear window, according to police Officer Sharron Neal. "As he got up, he went to the window and saw someone trying to break in," Neal said. She said the homeowner fired one shot through the window. The suspect ran off, jumped over a fence and was later found lying in an alleyway by officers and a neighbor, Neal said.



Thirty-one Democratic Representatives urged President Barack Obama, to move on the hearings on the Gunrunner scandal. "Reports of the tactics used in this operation are extremely troubling," wrote the congressmen. "The ATF allegedly encouraged gun store owners to sell thousands of firearms to customers whom store employees considered suspicious. Our concerns were heightened with news that one of the firearms sold may have been used in the murder of a Border Patrol agent. These allegations call into question the judgment of the agents involved. It is equally troubling that the Department of Justice has delayed action and withheld information from congressional inquiries... We urge you to instruct the Department of Justice to promptly provide complete answers to all congressional inquiries on this issue."



In Tallahassee, Florida, Governor Rick Scott signed into law a bill that restricts the ability of doctors to ask patients whether they own firearms. It takes immediate effect. It allows doctors to ask about gun ownership and record that data only when they believe the information is pertinent to a patient's safety and health. If the Florida Board of Medicine finds a doctor out of step with the law, the doctor could face various penalties, including fines up to \$10,000. Three Florida physician organizations and the Brady Center to Prevent Gun Violence announced they would file a lawsuit in an attempt to block the new law.



The May 2011 National Instant Criminal Background Check System (NICS) figure of 696,947 adjusted by the National Shooting Sports Foundation (NSSF) is an increase of 11.4 percent over the NSSF adjusted NICS figure of 625,763 in May 2010. For comparison, the unadjusted May 2011 NICS figure of 1,219,872 is an increase of 20.8% over the unadjusted NICS figure of 1,009,818 in May 2010. This marks the 12th straight month-over-month increase in NSSF adjusted NICS figures. The adjusted NICS data were derived by NSSF by subtracting out all NICS purpose code permit checks used by several states for CCW permit application checks as well as checks on active CCW permit databases. Though not a direct correlation to firearm sales, the NSSF adjusted NICS data

provide a more accurate picture of current gun market conditions.



In Sacramento, California, a bill (AB 144) that would make it illegal to carry an unloaded handgun in public was passed last month by a vote of 4-2 by the State Senate Public Safety Committee. If the bill were passed into law, openly carrying an unloaded gun would be a misdemeanor. People in violation could be punished with up to one year in jail and/or a \$1,000 fine. The measure was passed by the Assembly in May. Currently, open carry is legal in the Golden State. Supporting the anti-gun measure are the California Police Chiefs Association and the Brady Campaign to Prevent Gun Violence.



Remember to sign up for the 26th annual Gun Rights Policy Conference, cosponsored by CCRKBA and the Second Amendment Foundation. It's scheduled for September 23, 24 and 25 in Chicago, Illinois at the Hyatt Regency Chicago O'Hare Airport Hotel. It's About Freedom is this year's theme. Registration is free. Reservations for the special discounted room rate of \$112 per night can be made by calling 1-800-233-1234 and telling them you plan to attend the Conference. Please call 1-425-454-7012 to register. You can register online at [www.ccrkba.org](http://www.ccrkba.org), send an email to [grpc2011@saf.org](mailto:grpc2011@saf.org), or fax at 1-425-451-3959.

# The American Family That Lives Here Doesn't Need to Own Firearms



The residents of the White House are one of the few American families that don't really need to own firearms for their own defense. They have the best personal protection a nation can buy...24/7 Secret Service guardians.

Some governors and other high government officials are similarly shielded at taxpayer expense. And a few families are wealthy enough to pay for personal bodyguards.

Everyone else is on their own. Of course there are dedicated law enforcement officers, but they can't be everywhere all the time, and they are vastly outnumbered by the criminals. The courts have ruled repeatedly that police can't be liable for any failure to come to anyone's aid, even when lives are at stake.

The American people know that when threatened by the unexpected, they must provide for their own defense. The Supreme Court has ruled that the Second Amendment to the Constitution guarantees the right to arms for domestic defense, and 48 states provide for legal concealed carry of firearms.

In their homes and businesses, millions of families own firearms for personal defense, and many of those are the same popular semi-automatic rifles, shotguns and pistols which some misguided policy advocates propose to outlaw.

Such efforts would further tip the scales of safety in favor of criminals and terrorists who always ignore laws against murder, rape, robbery, carjacking and burglary just as they always have ignored gun laws. Enforcing gun bans against good citizens would place another, more difficult burden on law enforcement, with little effect on those intent on violence.

If you think you have the right to defend yourself and your family, use the coupon at lower left to remind President Obama of his campaign promise not to take away anyone's guns.

If you believe others should be exposed to this message, or if you wish to get more facts about firearms policy from the Second Amendment Foundation, use the coupon at lower right.

Dear President Obama:

During your 2008 campaign you said you believed in the Second Amendment and would not take away anyone's guns. Please don't let Congress turn law-abiding citizens into criminals with misguided gun laws affecting commonly owned firearms.

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