

POINT BLANK

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



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HAVE ARMS GRABBERS GONE OVER THE EDGE?

"The opponents of an armed citizenry are desperate" noted John M. Snyder, CCRKBA Public Affairs Director, as news leaked out that government officials, apparently not content with anti-gun owner policies, now are attempting to perpetrate a knife grab.

"It's incredible," continued Snyder. "Some of these officials are so opposed to individual law-abiding American citizens having any kind of arms at all that they even want to prohibit people from keeping pocket knives. We're facing a bunch of tyrants who want to eliminate completely the right to keep and bear arms. We need your help."

CCRKBA has joined with the Second Amendment Foundation and Knife Rights to help fight this unwarranted action by Customs.

CCRKBA Chairman Alan M. Gottlieb points out that, "the Second Amendment doesn't say 'firearms,' it says 'arms,' and knives clearly are covered."

In a sneak attack, U.S. Customs has proposed revoking earlier rulings that assisted opening knives are not switchblades. The proposal would outlaw not only assisted opening knives. Its overly broad new definition of a switchblade also would include all one-handed opening knives and most other pocket knives.

U.S. Customs & Border Protection (CPB) in May proposed revoking earlier rulings that assisted opening knives are not switchblades. Right now, one-hand opening and assisted opening knives are 80 percent of U.S. knife sales. CPB's interpretation of the Federal Switchblade Act forms the basis for national, state and even local law and judicial rulings in many cases. This CBP ruling is not limited to just imports. This will affect virtually everyone who carries a pocket knife, no matter what type.

The definition of a switchblade was settled by the Federal Switchblade Act in 1958 and has been reaffirmed by many years of legal decisions. CPB's convoluted reasoning in their proposal to reach back beyond the law and to expand their regulatory purview by rationalizing "intent" as justification for this new interpretation is a stretch, at best, and illegitimate at worst.

It's time for the people to ride herd on these self-important government bureaucrats and to demand that their Representatives and Senators tell these U.S. Customs and Border Protection officials to pull in their horns and back off this outrageous proposal.

Readers of *Point Blank* may write, email, or fax their Representative and their Senators on this matter. Visit these elected officials in their state or district offices and let them know how you feel about this issue, how you feel about this backdoor attempt to undermine your right to keep and bear arms.

CCRKBA SAYS GUN OWNERS FACING MANY CHALLENGES

"At this time in our nation's history, with a president whose public record of opposition to the rights of law-abiding gun owners is more egregious than that of any other individual who has governed from the Oval Office, and with opposition to gun rights from certain outspoken Members of Congress and their lap-dog supporters in the mainstream media, the challenges facing those of us who believe sincerely and deeply in the individual Second Amendment civil right to keep and bear arms is greater now than at any time in our country's history," says John M. Snyder, CCRKBA Public Affairs Director.

"That is why the organizers of the 2009 Gun Rights Policy Conference (GRPC) have chosen Challenges Ahead as the theme for the 24th Annual gun rights activists' get together," he continued.

CCRKBA and the Second Amendment Foundation (SAF) cosponsor the event. This year, it will be held September 25, 26 and 27 at the Airport Renaissance in St. Louis, Missouri.

Attendees will be able to meet national gun rights leaders and their fellow grassroots activists there. It's a once-a-year chance to network and get an insider look and plan pro-gun rights strategies for the coming year.

This year, CCRKBA and SAF will take a look at critical issues such as city gun bans, youth violence, "smart" guns, concealed carry, federal legislation, legal actions, gun show regulation, and state and local activity. GRPC also will preview upcoming court cases and revisit the impact of last year's decision in the case of District of Columbia v. Heller.

Readers of Point Blank who are interested in attending GRPC or who

want more information can phone (425) 454-7012, or email their registration, which is free, to GRPC2009@saf.org. Room reservations may be made by calling 1-800-468-3571. Please mention GRPC to receive the special room rate of \$94.

"Now, when our civil right to keep and bear arms is under more severe attack than ever before, we must stand together to defend our liberty," said Snyder. "Hardly a day goes by when we don't hear about or read about a law-abiding American citizen who exercises this precious right in defending life or property, or both."

Snyder referred to a recent incident reported by Ben Orcutt in the Northern Virginia Sun in which Edgar "Ed" Shifflett and his wife, Thelma, who are Bible and gun-toting Christians, said they feel just as safe after thwarting an attempted home invasion as they did before.

"Yeah, I feel safe," the 71-year-old Shifflett said as he recalled how he used a pistol to ward off a would-be home invader. "I got an arsenal here and I know how to use it all."

Mrs. Shifflett, 69, said angels were watching over her and her husband at their home in Warren County, Virginia. She also says it didn't hurt that her husband knows how to use a gun.

"I'll tell you why I feel safe because I know the Lord is on my side," Mrs. Shifflett said. "We're both Christians and if it hadn't been for (the Lord) and his angels and he hadn't had that gun..."

"That'd been it," Shifflett said, finishing his wife's sentence.

When Shifflett answered the doorbell one day, he opened the door and saw someone in the stairwell who

raised his right hand with a white bag that Shifflett thought had a knife in it.

"I jumped back," said Shifflett, "brought the gun up at the same time... That's when everything popped loose all at one time. A split second. I done had (the gun) cocked."

Shifflett fired a warning shot about a foot over the man's head. The man fled.



POINT BLANK

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

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CCRKBA SAYS OBAMA STACKS COURTS TO GET AT FIREARMS

Failing to get traction for his anti-gun agenda in Congress, explains CCRKBA, Barack Obama is trying instead to stack the federal courts with liberal anti-gunners.

CCRKBA Chairman Alan M. Gottlieb said last month that, "President Obama's gun prohibitionist agenda has fallen on deaf ears on Capitol Hill. His administration's attempt to revive the ban on semiautomatic sporting rifles by exploiting the Mexican drug war was a bust. He had to sign legislation allowing guns for personal protection in national parks, even after his Justice Department refused to defend the Interior Department against a lawsuit that prevented an earlier firearms rule from taking effect.

"But now he is picking judicial nominees that almost certainly will legislate from the bench. Supreme Court nominee Sonya Sotomayor already has ruled that the Second Amendment does not apply to the states. We've learned that Sotomayor's nomination is supported by ACORN, the publicly-funded anti-gun group that supported a Jersey City gun control ordinance that was struck down by the court."

Gottlieb pointed out also that, "Obama's nomination of David Hamilton to a position on the Seventh Circuit Court of Appeals is equally troubling because Hamilton reportedly is a former ACORN fundraiser. Even the president once worked with the anti-gun rights ACORN as a leadership trainer.

"Seventy years ago, President Franklin D. Roosevelt tried to stack the Supreme Court to push his social agenda, and he failed. President Obama tried to use his cabinet to

rally support for a gun ban renewal and he failed, so now he's planning to stack the courts with anti-gun ACORN nominees."

Gottlieb added that, "America has had enough left-wing judicial activism from the federal bench. In Judge Sotomayor's own words, 'I don't believe we should bend the Constitution under any circumstances. It says what it says. We should do honor to it.' That includes honoring the Second Amendment. It does not include manipulating the courts to accomplish what cannot be achieved through the Congress."

CCRKBA noted also that Obama's nomination of Judge Sotomayor to replace retiring Justice David Souter on the United States Supreme Court validates the concerns of millions of American citizens who have been rushing to gun shops for the past eight months, fearing their Second Amendment rights are in jeopardy.

Judge Sotomayor was part of a Second Circuit Court panel that ruled in January that the Second Amendment does not apply to the states, in *Maloney v. Cuomo*. That is in direct conflict with a Ninth Circuit opinion this spring in *Nordyke v. King* that the Second Amendment is incorporated to the states, and therefore does place limits on states' ability to regulate the individual right to keep and bear arms.

"Starting literally last November 4 and every day since," noted Gottlieb, "concerned Americans, many who had never before owned a firearm, have been crowding into gun shops. Their concerns that the Obama administration may somehow try to destroy Second Amendment rights have certainly been affirmed with

the nomination of Judge Sotomayor to the Supreme Court.

"Sure, Congress has turned a cold shoulder to renewal of the ban on semiautomatic rifles, and the president did sign the guns-in-parks bill, but only because he had to in order to save his credit card legislation."

"But a Supreme Court justice is a president's legacy," Gottlieb observed. "Judge Sotomayor would become a justice for life, and her anti-Second Amendment position would continue affecting her decisions long after Obama is gone from the White House.

"A Supreme Court nominee's philosophy generally reflects the philosophy of the president that nominates them. Judge Sotomayor's position on the Second Amendment is a clear signal that Mr. Obama's claim that he supports gun rights is nothing but lip service from a man who consistently argued and voted against those rights in the Illinois Senate and the United States Senate. American gun owners have every reason to oppose this nomination, and let their senators know why."

That this court issue is of crucial overall significance is made evident in an analysis by Landmark Legal Foundation President Mark Levin, who notes in his book *Liberty and Tyranny* that "the statist considers the judiciary his clearest path to amassing authority, for through it he can proclaim what the law is without effective challenge or concern with the fleeting outcome of an election cycle...And the statist on the Court tolerates representative government only to the extent that its decisions reinforce his ends. Otherwise, he overrules it."

CCRKBA BLASTS PROPOSAL TO EMPOWER AG ON GUNS

"Although CCRKBA supports public policy designed specifically to thwart terrorist activity, we oppose efforts to empower the Attorney General of the United States to subjectively determine terrorist identity and to use this authority to deny gun rights to law-abiding citizens of the United States," John M. Snyder, CCRKBA Public Affairs Director, said last month in Washington, D.C.

"We live in difficult times for the individual Second Amendment civil right to keep and bear arms," Snyder continued. "This spring, a paper from the Department of Homeland Security characterized gun owners as rightwing extremists. One section of the document proclaimed that, 'The possible passage of new restrictions on firearms and the return of military veterans facing significant challenges reintegrating into their communities could lead to the possible emergence of terrorist groups or lone wolf extremists capable of carrying out violent attacks.'"

The paper stated also that "many rightwing extremist groups perceive recent gun control legislation as a threat to their right to keep and bear arms and in response have increased weapons and ammunition stockpiling, as well as renewed participation in paramilitary training exercises. Such activity, combined with a heightened level of extremist paranoia, has the potential to facilitate criminal activity and violence."

"On the current front," the paper continued, "legislation has been proposed this year requiring mandatory registration of all firearms in the United States. Similar legislation was introduced in 2008 in several states proposing mandatory tagging

and registration of ammunition. It is unclear if either bill will be passed into law; nonetheless, a correlation may exist between the potential passage of gun control legislation and increased hoarding of ammunition and weapons stockpiling, and paramilitary training activities among rightwing extremists."

Snyder noted that, "although public pressure forced the Obama administration to withdraw the paper, the fact that it even was issued and that Obama's Attorney General, Eric H. Holder, is an official with a strong anti-gun owner public record, causes great concern to firearm owners when it even is suggested that the Attorney General be given the power to say who is a terrorist and deny such designee American gun rights."

"Yet," continued Snyder, "that is exactly what the proposed Denying Firearms and Explosives to Dangerous Terrorists Act of 2009 would do and that is why we oppose it. The bill, H.R. 2159, introduced by Rep. Peter T. King of New York, would allow the Attorney General to deny the transfer of a firearm if the Attorney General determines that the transferee is known or appropriately suspected to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism."

The bill would prohibit the sale or distribution of firearms or explosives to any individual whom the Attorney General has determined to be engaged in terrorist activities.

It would permit the Attorney General

to withhold information in firearms and explosives license denial revocation suits if the Attorney General determines that the disclosure of such information would likely compromise national security.

H.R. 2159 would not impose any requirements or limits on the information the Attorney General could use to make a determination on this matter, and it would provide that "any information which the Attorney General relied on for this information may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security."

Federal law, in sharp contrast with the situation proposed in H.R. 2159, establishes guidelines for the nine categories of persons currently prohibited from possessing firearms, and it protects the right of a person to be told why he is prohibited. This is very important because a person who is not prohibited can be mistaken for someone who is, due to incomplete or incorrect records in the FBI's database of prohibited persons, or due to being mistaken for a prohibited person on the basis of a similar name or other personal information.

H.R. 2159 was referred to the House Judiciary Committee, under the chairmanship of anti-gun Congressman John Conyers, Jr. of Michigan.

Original cosponsors are Reps. Michael N. Castle of Delaware, Mark Steven Kirk of Illinois, Carolyn McCarthy, Charles B. Rangel and Edolphus Towns of New York, James P. Moran of Virginia, and Christopher H. Smith of New Jersey.

CCRKBA COMMENDS LAWMAKERS ON TENNESSEE GUN BILL OVERRIDE

CCRKBA congratulated the Tennessee Legislature for its override last month of Gov. Phil Bredesen's veto of a pro-gun bill.

The bill, now law, allows law-abiding citizens to carry firearms into restaurants and bars that serve alcoholic beverages.

The new statute retains the prohibition against armed citizens actually consuming alcohol, and it also allows restaurants to ban guns in their establishments. It takes effect July 14 following a bipartisan 21-9 override vote in the Senate. Earlier, the House had voted to override the veto by a 69-27 margin.

It allows the state's estimated 222,800 handgun carry permit holders to go armed in establishments that sell alcohol, provided they do not

drink, according to the *Chattanooga Times Free Press*. Businesses also can post signs banning guns that permit holders would have to obey.

"For years, the gun prohibitionist lobby has perpetrated a sense of fear against armed citizens in public venues," said CCRKBA Chairman Alan M. Gottlieb. "Yet in Washington State, where the Citizens Committee for the Right to Keep and Bear Arms is headquartered, it has been legal for many years to carry firearms in restaurants that serve alcohol, and it has not resulted in the kind of violence predicted by opponents of the Tennessee measure."

"We are in agreement with Senator Doug Jackson, who correctly told reporters that this bill has been falsely portrayed as creating a threat

to public safety and that is nonsense. We believe that, given time, the public will realize that all of the inflammatory rhetoric was nothing more than a campaign of manufactured hysteria."

Sen. Jackson, who sponsored the bill, rallied supporters to override the veto. "We believe law-abiding citizens should have the right to self-defense," he stated. Seventeen Republicans and four Democrats voted for the Senate override, while nine Democrats opposed it.

"Licensed citizens all across the country exercise their right of self-defense while dining in restaurants that serve alcohol, noted CCRKBA Legislative Director Joe Waldron. "These citizens are a model of restraint. It will be no different in Tennessee."

CITIZEN ACTION PROJECT

With the nomination of Judge Sonia Sotomayor to fill the Supreme Court seat of retiring Associate Justice David Souter, President Obama has thrown down the gauntlet to gun owners all across America. Judge Sotomayor has a long history of hostility to gun owners, from the time she wrote her senior thesis at Princeton, titled "America's deadly obsession with guns." In January of this year, as a judge on the Second Circuit Court of Appeals in New York City, she wrote that the individual right to keep and bear arms affirmed by the Second Amendment does NOT apply to the states.

This was only six months after the Supreme Court formally affirmed the individual right to arms in *District of Columbia versus Heller*. Because *Heller* was a D.C. case, the Supreme Court did not "incorporate" it to the states under the 14th Amendment. They left that to later courts to decide. Judge Sotomayor came down firmly AGAINST the rights of gun owners. Following the 9th Circuit Court of Appeals' decision to incorporate the Second Amendment to the states, this leaves the door open to a Supreme Court challenge on the issue of incorporation, a challenge that a Supreme Court Justice Sotomayor could vote on.

Federal judicial appointments are lifetime appointments. Judge Sotomayor is only 54 years old, so it is reasonable to assume she will be in a position to serve on the Court for decades to come, long after Barack Obama has left office. But... all federal judicial appointments must be confirmed by the U.S. Senate.

Once again the Senate is the focus of our attention. Write, e-mail or call your U.S. Senators today. Direct internet links to your Senators can be found at <http://www.senate.gov>, or by clicking on the "Contact your Senator" in the left margin of the CCRKBA web site at <http://www.ccrkba.org>. Your Senators' home district office addresses and telephone numbers may be found in the blue "Government" pages of your local telephone directory.

FLORIDA GOVERNOR THE CCRKBA RIGHTS DEFENDER

Governor Charlie Crist of Florida is the CCRKBA Gun Rights Defender of the Month for July.

In nominating the Sunshine State's chief executive for the Award, John M. Snyder, CCRKBA Public Affairs Director, noted that, "in late May, Gov. Crist vetoed a bill that if signed into law would have had a serious negative impact on the right to keep and bear arms.

"The state legislature had intended with its bill to take six million dollars from the Division of Licensing Concealed Weapons and Firearm Trust Fund that is intended, by law, to be used solely for administering the state's concealed weapons and concealed weapons law.

As Marion P. Hammer, Executive Director of Unified Sportsmen of Florida, NRA Past President, and a CCRKBA Gun Rights Defender of the Month pointed out, 'that would have been a *de facto* tax on gun owners.'"

Snyder added that "Gov. Crist vetoed the \$6 million raid on the Concealed Weapons and Firearms Licensing Trust Fund included in the budget by the legislature. In this time of economic difficulty and various political attacks on the right of individual law-abiding American citizens to keep and bear arms, it is good to see a public official, in this case a governor, stand up successfully to attempts to undermine gun rights. Observers feel the money in the Fund is needed to repair and improve computers and add more temporary workers to process an unprecedented backlog of permit applications. Gov. Crist surely deserves the recognition implicit in this Award."

It was just a year ago that Gov. Crist signed into law a bill to protect the right of qualified Floridians to keep a firearm in their vehicle for personal protection. He did this despite attempts by the Florida Chamber of Commerce and the Florida Retail Federation to kill the proposal. The bill provided that businesses can not prohibit employees or customers from keeping a legally owned gun locked inside their cars, as long as the owner has a permit to carry a concealed weapon.

"The Second Amendment is very important," said Gov. Crist. "I understand there are competing interests, but people being protected is most important to me."

The proposal that Gov. Crist signed into law last year provides that Florida citizens have a constitutional right to possess and securely keep legal private property within their motor vehicles, out of sight, particularly such property as is necessary for or incidental to their exercise of other constitutional rights.

It stipulates that these rights are not abrogated by virtue of a citizen becoming a customer, employee, or invitee of a business entity.

It states that a citizen's lawful possession, transportation and secure keeping of certain private property within his or her motor vehicle is essential to the exercise of fundamental constitutional rights, including freedom of speech, freedom of association, the free exercise of religion, and the right to keep and bear arms.

It provides that no public or private entity may prohibit any customer, employee of invitee from possessing any personal private property that is a legal product when such product is

lawfully possessed and locked inside or locked to a private motor vehicle, out of sight, in a parking lot and when the customer, employee or invitee is lawfully in such area.

Although some gun owners this spring were disappointed with Gov. Crist for not appointing Circuit Court of Appeals Judge Alan Lawson to the Florida Supreme Court, Gov. Crist has supported repeal of federal restrictions on the purchase and possession of firearms by law-abiding citizens. He does of course favor allowing citizens to carry concealed firearms.

Charles Joseph "Charlie" Crist, Jr. was born on July 24, 1956, 53 years ago this month.

Crist was born in Altoona, Pennsylvania and moved to St. Petersburg, Florida as a child, where he attended Riviera Middle School and graduated from St. Petersburg High School in 1974.

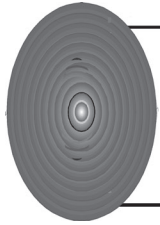
Crist attended Wake Forest University for two years, where he played quarterback for the Wake Forest Demon Deacons. He earned his undergraduate degree from Florida State University and received his law degree from Cumberland School of Law in Alabama.

Crist was elected to the Florida State Senate in 1992. He earned the moniker "Chain Gang Charlie" in some editorials for sponsoring a bill to reestablish chain gangs.

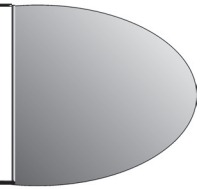
In 2000, Crist was elected Education Commissioner of Florida.

In 2002, Crist was elected Attorney General of Florida. He prosecuted civil rights and fraud cases.

Crist was elected governor in 2006, succeeding outgoing Gov. Jeb Bush in January, 2007.



QUICK SHOTS



In San Antonio, Texas, a pharmacist's actions demonstrated recently that a gun in the hand of a responsible citizen sometimes is necessary for the defense of life and property against criminal behavior. According to Police Chief William McManus, the owner of Babcock Square Pharmacy, Bill Wynn, 62, and his wife Patricia Wynn, 60, were in the store when an armed perpetrator handed a note to a clerk behind the counter. The perpetrator had been loitering in the parking lot and had walked into the pharmacy carrying what was described as a "black revolver" and the note, demanding the narcotic drug OxyContin and some money. Bill Wynn, who had been robbed before, somehow managed to arm himself with a gun. That's when Chief McManus said the robbed uttered the words: "Let's get it on." Police said Bill Wynn reacted quickly, shooting the perpetrator in the chest. "I was scared to death," said Wynn. Police arrived to find the gunman lying on his back in a pool of blood. Chief McManus said Wynn would not face any charges in connection with the shooting. "He was in fear (for) his life," said the chief. "He has a right and state law allows him to defend himself."



In Albany, New York, anti-gun state legislators are pushing proposals to require micro stamping technology on all semiautomatic handguns sold in the Empire State. The technology would imprint a firearm-specific code on cartridge cases as they are fired. CCRKBA op-

poses these proposals as impractical and an economic burden on firearms manufacturers and owners. As the New York Rifle & Pistol Association notes, the technology easily is defeated by the criminally-minded, and research conducted in California when it was considering similar legislation showed that the imprinted serial numbers were illegible about half of the time.



In Newtown, Connecticut, the National Shooting Sports Foundation (NSSF) praised Sen. Max Baucus of Montana, chairman of the Senate Finance Committee, for introducing legislation to rectify a longstanding inequity in the frequency with which firearms and ammunition manufacturers pay a federal excise tax on the products they sell. The firearms and ammunition excise tax (FAET) is a major source of wildlife conservation funding in the United States. Baucus' proposed Firearms Fairness and Affordability Act, S. 632, would allow the firearms and ammunition industry to pay the FAET on a quarterly basis, rather than on the current bi-weekly basis. It would be the same payment schedule on which every other industry supporting conservation pays the federal excise tax, says NSSF.



"Democrats as a whole have been shifting a bit toward the right on gun issues," states Patrick Jonsson of ABC News. "Last November saw the election of 26 new Democratic

House members and seven new Democratic senators – many of them from rural areas with pro-gun stances on their records. Since then, the shift has become more apparent. Up against a Memorial Day deadline, Democrats agreed to expand gun rights in national parks as part of the credit card reform bill. Democrats also agreed to ease gun restrictions in Washington as part of the historic District of Columbia voting rights bill. That measure passed in the Senate but is stalled in the House. In addition, President Obama broke a campaign pledge by largely refusing to open up to law enforcement officials records about firearms sales that are kept by the Bureau of Alcohol, Tobacco, Firearms and Explosives."



Reflecting a phenomenon that is occurring throughout the country, "driven by safety concerns or political angst, gun sales and applications for concealed carry permits are booming" in Virginia, reports Louis Hansen of HamptonRoads.com. "Applications for concealed carry permits statewide have jumped 42 percent from the same period last year, when the state issued a record number, according to the Virginia Supreme Court...Reported firearms sales by licensed dealers in gun shops in Virginia have also skyrocketed. Dealers sold 60 percent more guns in November 2008 than they had in November 2007, according to State Police records. Sales by licensed dealers are on pace to break last year's record by more than 30 percent."

4

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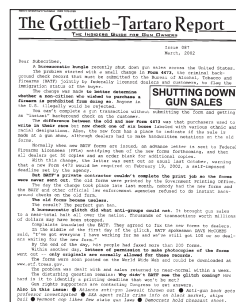
The Journal of Firearms and Public Policy:

At last, an academic journal dedicated to scholarly discussion of firearms and public policy! The JOURNAL OF FIREARMS AND PUBLIC POLICY has published annually since 1989. Its mission: to encourage objective research on the right to keep and bear arms, and explore America's Constitutional heritage to privately own and possess firearms. Edited by David B. Kopel – Research Director at the Independence Institute and renowned gun-rights scholar – and contributors include Randy E. Barnett, Glenn Harlan Reynolds, John R. Lott, Joseph P. Tartaro, Gary Kleck, and others.

The Gottlieb-Tartaro Report:

Here's a monthly newsletter that gives you inside gun-rights information from the desks of active principals in the battle for the right to keep and bear arms. The GOTTLIEB-TARTARO REPORT is headed by Alan M. Gottlieb – chairman of the Citizens Committee for the Right to Keep and Bear Arms – and Joseph P. Tartaro – editor of Gun Week and president of the Second Amendment Foundation. This monthly newsletter is full of inside gun rights news straight from the desks of the experts. Not available on newsstands. Regular subscription \$60 per year.

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