

POINT BLANK

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

CCRKBA ENDORSES “SAFE” ACT OF 2005



**April
2005**

Volume XXX No. 4

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CITIZENS COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS

(a non-profit corporation)

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CCRKBA endorses the proposed Secure Access to Firearms Enhancement (SAFE) Act of 2005, John Michael Snyder, CCRKBA Public Affairs Director, announced.

“This proposal, if enacted into law,” said Snyder, “would enable law-abiding citizens to carry a concealed firearm in any State if it is legal for them to carry such firearm in the State of residence. As a number of studies recently have indicated, and as sensible people, especially sensible law-abiding gun owners, know in our gut, the presence of firearms in the hands of law-abiding citizens is a major deterrent to violent crime. It really is true that guns in the hands of good people save lives.”

Introduced by Rep. John N. Hostettler of Indiana, a CCRKBA Gun Rights Defender of the Month, the proposed “SAFE” Act, H.R. 1243, would provide for reciprocity in regard to the manner in which nonresidents of a State may carry certain firearms in that State.

At the present time, about 35 States now allow law-abiding citizens to carry concealed firearms. If H.R. 1243 were enacted into law, it would put criminals on notice that such carrying is a matter of national public policy.

H.R. 1243 would stipulate that notwithstanding any provision of the law of any State or political subdivision thereof, a person who is not prohibited by Federal law from possessing, transporting, shipping or receiving a firearm who is carrying a valid license or permit which is issued pursuant to the law of any State and which permits the person to carry a concealed firearm, or is otherwise entitled to carry a concealed firearm in and pursuant to the law of the State of the person’s residence, may carry in any State a concealed firearm in accordance with the terms of the license or with the laws of the State of the person’s residence, subject to the laws of the State in which the firearm is carried concerning specific types of locations in which firearms may not be carried.

Although about 30 U.S. Representatives already are on record as cosponsors of the proposed “SAFE” Act, Snyder said, “we urge CCRKBA Members and Supporters and law-abiding firearm owners generally to contact their own U.S. Representative and ask him or her to become a cosponsor of this proposal. Congressman Hostettler, an outstanding, forthright and consistent promoter in public life of the individual Second Amendment civil right of law-abiding American citizens to keep and bear arms, also needs all the help he can get in working to move forward this most important legislative item. So call, write and visit your U.S. Representative about H.R. 1243.

GUN CONTROL "POSTER MOM" ARRESTED ON GUN CHARGES

The President of the Springfield, Illinois chapter of the Million Mom March faces charges of having drugs and an illegal handgun in her home, according to press reports appearing last month. The reports indicated the gun's serial number had been scratched off.

Annette Stevens became a gun control activist after her son, Jericko Clark, 20, was shot to death several years ago, according to CNSNews.com. She told a newspaper the gun belonged to her late son, and when she found it, she didn't know what to do with it, so she put it in a drawer.

Police reportedly found the gun and illegal drugs while executing a search warrant at Stevens' home in connection with a spate of drive-by shootings in the area. Stevens insists the search was illegal. She insisted she had simply wrapped up the gun and forgotten about it after finding it several months after her son's slaying.

Agents from the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) reportedly assisted in the search.

Although police declined to get into specifics, Lt. Rickey Davis said Stevens has a "close relationship" with one of the two feuding groups involved in the spate of shootings.

Stevens, 47, free on bond as of this writing, admitted she does know some of the people allegedly involved in the drive-by shootings. However, she said she knows them only because her interest in stopping gun violence has her in the neighborhoods talking to the youths. She called her arrest "a blatant to try and undermine me."

CCRKBA and the Illinois State Rifle

Association (ISRA) noted the obvious irony of a gun control activist being arrested on gun charges.

It was CCRKBA Chairman Alan M. Gottlieb who called it ironic that "this poster mom for gun control" has admitted keeping an illegally altered handgun in her home while she's campaigned to deprive other citizens of their firearms.

"If Stevens is so convinced guns don't belong in society, then why didn't she immediately turn that gun over to police when she found it more than two years ago?" asked Gottlieb.

"Why did she keep it? What's wrong with this picture? Ms. Stevens is about to learn that supporting gun control is like keeping a vicious dog. They sometimes bite the hands that feed them."

"In the kind of Draconian anti-gun society that Stevens and her cohorts are trying to create," Gottlieb continued, "it wouldn't matter if she were innocent as she claims. Under the laws her group supports, gun owners essentially are considered guilty until they prove themselves otherwise. That's everything from background checks to waiting periods, and certainly the Illinois requirement that gun owners have a Firearms Owners Identification Card. Stevens has no FOID card, so there's another gun law violation. There are thousands of local and state laws across the country that the Million Moms support, none of which have done anything to prevent a single crime. All they do is chip away at the gun rights of law-abiding citizens."

ISRA called the situation a classic case of "liberal elitists" who "cannot walk their own talk."

"I find it incredible that someone representing an organization that pushes legislation that only punishes law-abiding gun owners would possess such an illegal weapon," said Richard Pearson, ISRA Executive Director. "

"Surely she must be familiar with U.S. gun laws and those in Illinois, considering the position she holds. Does she think the law does not apply to her? It's the height of hypocrisy!"



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

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CCRKBA BACKING GUN COMMERCE PROTECTION

"CCRKBA once again is 100 percent behind the proposed Protection of Lawful Commerce in Arms Act," John Michael Snyder, CCRKBA Public Affairs Director, announced last month in Washington, D.C.

"We're asking our Members and Supporters and all law-abiding American gun owners to contact their own U.S. Representative and both of their U.S. Senators and urge them to give full support to this much-needed legislative initiative."

The proposed measure passed overwhelmingly in the U.S. House of Representatives during the previous (108th) Congress and was headed for a vote in the U.S. Senate but had to be pulled down by the threat of a long, drawn-out battle over proposed "killer amendments." Now, however, with the composition of the Senate changed significantly as the result of last November's elections, pro-gun forces on Capitol Hill hope for more favorable developments during this, the 109th Congress.

Briefly, the proposal, if enacted into law, would prevent further abuse of our nation's courts when frivolous lawsuits against law-abiding businesses seek to blame them for the criminal use of legally sold firearms.

More than 30 states already have passed similar legislation to prevent unwarranted lawsuits attempting to blame responsible businesses and their employees for the acts of criminals. Federal legislation would prevent new suits from being filed or existing cases from proceeding when a judge determines that the defendants are not connected to the wrongdoing of criminals, and their product was not defectively designed or

made.

The proposed legislation would not stop legitimate lawsuits by someone who is injured by a defective product or against any business that knowingly breaks the law. Those kinds of actions are well-established and protected under American statutes and legal traditions.

The chief sponsors of the measure in both the House and the Senate are holders of CCRKBA Defender of the Month Awards.

They are Rep. Cliff Stearns of Florida in the House and Sen. Larry Craig of Idaho in the Senate. Both maintain that the purpose of the proposal is to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others.

In the House, the bill is H.R. 800. Its companion Senate measure is S. 397. They have been referred to the respective House and Senate Committees on the Judiciary.

In reintroducing the proposal, Sen. Craig, a CCRKBA Congressional Advisor, said on the Senate floor that, "this bill addresses the abuse of our Nation's courts through predatory lawsuits against the U.S. firearms industry – suits attempting to force law-abiding businesses to pay for criminal acts by individuals beyond their control.

"It's important for our colleagues to understand that the lawsuits we're talking about are not brought by victims seeking relief for some wrongs done to them by the firearms industry. Instead, they are part of a politically inspired initia-

tive trying to force social goals through an end-run around the Congress and State legislatures."

Sen. Craig said that, "these lawsuits are based on the notion that even though a business complies with all laws and sells a legitimate product, it should be held responsible for the misuse or illegal use of the firearm by a criminal. This isn't a legal theory – it's just the latest twist in the gun controllers' notion that it's the gun, and not the criminal that causes crime.

"The truth is that there are millions of firearms in this country today, only a tiny fraction of which have ever been used in the commission of a crime. The truth is that again and again, law-abiding firearm owners are using their guns, often without even firing a shot, to defend life and property.

"The truth is that the intent of the user, not the gun, determines whether that gun will be used in a crime. The trend of predatory litigation targeting the firearms industry not only defies common sense and concepts of fundamental fairness, but it would do nothing to curb criminal gun violence. The cost of these lawsuits threatens to drive a critical industry out of business, losing thousands of good-paying jobs in the process and jeopardizing Americans' constitutionally protected access to firearms for self-defense and other lawful uses."

The Brady Campaign to Prevent Gun Violence United With the Million Mom March opposes the measure as attempting to grant broad and unprecedented immunity from civil lawsuits to manufacturers and gun dealers.

LAUTENBERG SPINS TO TERRORIZE

By Alan M. Gottlieb, CCRKBA Chairman, and Joe Waldron, CCRKBA Executive Director

How might civil rights activists and editorialists react if they learned that a United States Senator wants to keep personal records on people suspected of carrying the AIDS virus, even though they have harmed nobody and committed no crime? There would be an outrage.

That is essentially what anti-gun Sen. Frank Lautenberg (D-NJ) is advocating with S. 578, his proposed Terrorist Apprehension and Record Retention Act of 2005. He wants the government to maintain gun purchase records for at least 10 years on persons whose names appear on terrorist watch lists. How does one get his name on such a list? How does he get his name removed?

According to a report from the Government Accounting Office, 58 such persons were identified through National Instant Check System "hits" in 2004 as having applied for firearm purchases. Of those, 47 transactions were allowed to proceed because there was no evidence that any of those people were disqualified for any reason. That means they have not been charged with, or convicted of any crime. They've never been in mental institutions, aren't illegal aliens, weren't dishonorably discharged from the armed forces, haven't renounced their citizenship, nor are they otherwise disqualified.

The GAO, at Lautenberg's request, looked at the NICS system to determine how the FBI could better manage background checks. GAO called its report "Gun Control and Terrorism." Lautenberg immediately began spinning the report to push his anti-gun agenda. He would have us believe that terrorists are buying guns due to loopholes in the sys-

tem, when the report demonstrates that the NICS system works.

The report clearly notes that, from February 3 through June 30, 2004, a total of 44 "valid matches" were identified out of more than 3.1 million NICS checks conducted during that period. Of those, 35 transactions were allowed to proceed because none of these people had any disqualifiers.

What Lautenberg didn't say – and what would alarm the civil liberties crowd if they were as interested in firearms rights as in other civil rights – is that during the same period, an estimated 650 NICS transactions "generated initial hits on terrorist records" in the government's Violent Gang and Terrorist Organization File. However, the report admits, "The vast majority of NICS transactions that generated initial hits on terrorist records...did not result in valid matches." Translation: The initial "hits" were mistakes.

What would Lautenberg have the government do, prohibit someone who has evidently committed no crime from exercising a civil right, simply because they are "suspected" of something? That's what The New York Times, New York Daily News and other newspapers want. Okay, prove these people are terrorists. They'll lose their guns...and their freedom.

Nobody is defending terrorists, nor are we suggesting that terrorists might have the same Constitutionally-protected right to own a firearm as any citizen. In our view, terrorists have no rights; a position that doesn't square with people who wring their hands over the plight of Guantanamo Bay detainees.

While Lautenberg and other ex-

tremists focus on creating a de facto gun registry on some people who legally purchase firearms, what about the handful of "suspected terrorists" who were denied their gun purchases because of disqualifiers? Have those people been arrested for trying to buy a gun? Where are they? The report doesn't say.

GAO revealed current NICS procedures that most people don't know about. Sen. Lautenberg is angry that records of successful NICS transactions are destroyed within 24 hours. He doesn't note that the FBI has revised its policies "to allow for the retention of non-identifying information related to each proceeded background check for up to 90 days," nor has he pointed out – as did the GAO report – that "The 24-hour destruction provision did not affect federal policies for retaining NICS records related to denied firearms transactions." Records of those transactions, GAO said, "are retained indefinitely."

In Sen. Lautenberg's malevolent view, anyone who buys a gun is a suspected terrorist. If we adopted all of the gun controls he has ever advocated, we would only disarm honest citizens, not criminals or terrorists, and he knows it. Should we stop people from exercising their gun rights? If we do that, what's next? Do we take away their other rights? Do we confine them without a trial? How far do we go? Where does it stop?

If Frank Lautenberg achieved his goals, we would surrender the very freedom terrorists are trying to destroy, and our liberty would be lost forever.

CCRKBA AT CPAC

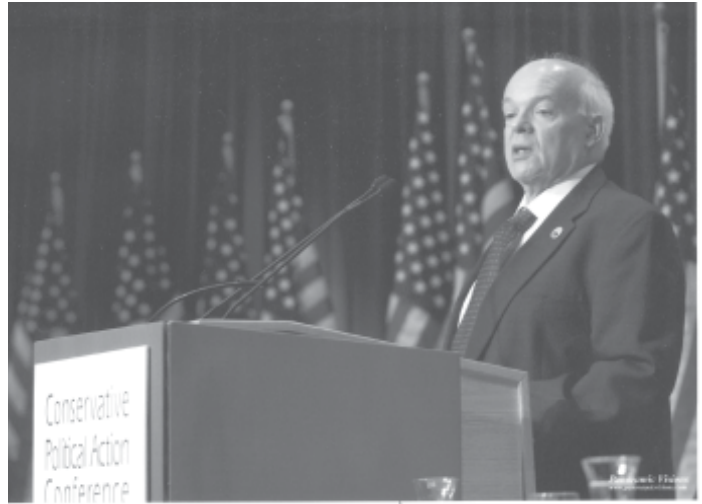
John Michael Snyder, CCRKBA Public Affairs Director, spoke recently before the 32nd Annual Conservative Political Action Conference (CPAC) at the Ronald Reagan Building and International Trade Center in Washington, D.C.

About 4,000 activists from across the United States attended the Conference, reported CPAC Chairman David Keene.

CCRKBA is a cosponsor of CPAC.

Featured speakers this year included Vice President Dick Cheney, Senators George Allen of Virginia, Sam Brownback of Kansas, Tom A. Coburn of Oklahoma, John Cornyn of Texas, Mitch McConnell of Kentucky, Rick Santorum of Pennsyl-

vania, Jeff Sessions of Alabama and John Sununu of New Hampshire, Representatives Christopher Cox of California, Henry Hyde of Illinois and Mike Pence of Indiana, former Senator Zell Miller of Georgia, former Representatives Bob Barr and Newt Gingrich of Georgia and Pat Toomey of Pennsylvania, former FBI Special Agent Gary Aldrich, author of "Unlimited Access: An FBI Agent Inside the Clinton White House," L. Brent Bozell III, Founder and President of the Media Research



Center, nationally syndicated columnists Patrick J. Buchanan, Ann Coulter, James Glassman and Robert Novak, Wayne LaPierre, Executive Vice President of the National Rifle Association, and John R. Lott, Jr., author of "More Guns, Less Crime: Understanding Crime and Gun Control Laws."

CITIZEN ACTION PROJECT

The gun issue is heating up in Congress once again. As detailed elsewhere in this issue, Sen. Larry Craig of Idaho and Rep. Cliff Stearns of Florida have reintroduced the proposed Protection of Lawful Commerce in Arms Act, a bill to protect gun manufacturers from nuisance lawsuits intended to accomplish nothing but break the fiscal back of America's gun manufacturing industry.

You will recall the bill passed the House of Representatives last year, but was killed in the Senate after Democrats and some Republicans attached anti-gun amendments (e.g. "assault weapon" ban extension, "gun show" loophole language) to Sen. Craig's version.

The House version of the bill this year, H.R. 800, already has 174 additional Republican and Democrat cosponsors. The Senate version, S. 397, has the magic 50 cosponsors, including six Democrats.

On the other hand, Sen. Dianne Feinstein of California has introduced S. 620, a renewal of her 1994 "assault weapon" ban. S. 620 is pretty much a duplicate of the earlier version, with the same appendix of "legitimate sporting firearms" that she declares as "safe." Of course, Appendix A lists NO handguns. Apparently Sen. Feinstein has never heard of handgun hunting or competitive marksmanship events using handguns. Two Republicans, DeWine of Ohio and Warner of Virginia, have joined eight Democrats as cosponsors of S. 620, which has been referred to the Senate Judiciary Committee.

It is time to contact your Senators and Representative and ask them to sign on to S. 397 and H.R. 800, respectively, if they have not already done so. Urge them to support a "clean" passage of the bills, with no anti-gun amendments attached.

You may reach your federal lawmakers in several ways. The blue "Government" pages in the front of your telephone directory contains their district office listings. The e-mail addresses are available on the Internet at <http://www.senate.gov> or <http://www.house.gov>. You also can mail letters to them individually at U.S. Senate, Washington, D.C. 20510 or U.S. House of Representatives, Washington, D.C. 20515.

CCRKBA HONOREE WARNS ABOUT GUN COMPLACENCY

In recent months, a number of writers and commentators have put forth the view that, in view of last November's election results, the political and legislative battle for the individual Second Amendment civil right to keep and bear arms is all but won.

That, however, as the CCRKBA Gun Rights Defender of the Month for April, Jennifer Freeman, warns, would be a most dangerous and unwarranted assumption for Second Amendment defenders to entertain.

Jennifer is Co-Founder and Executive Director of Liberty Belles, a grass roots organization dedicated to restoring and preserving the Second Amendment.

In nominating Ms. Freeman for the CCRKBA Award, John Michael Snyder, CCRKBA Public Affairs Director, said that, "right now it is most important that the gun rights movement enjoy the benefit of the sophisticated perception of the overall political situation manifested by her and others. It would be a terrible mistake for the movement to conclude that a little good news presaged the end of the battle to preserve our gun rights. Hopefully, with articulate and dedicated spokespersons like Jennifer Freeman on the scene, this will not happen, and the American gun rights movement will continue to work effectively to preserve the right to keep and bear arms for ourselves and for future generations. She is most deserving of this Award."

When the generally respected National Review Online ran an article recently indicating gun control might no longer be a problem,

Jennifer worked to correct a possible misperception. She wrote that, "while we may differ on a variety of issues, we tend to agree that the fight is not really over, particularly when you consider existing local firearm bans, bans on private party purchases, one-a-month limits, proposed anti-gun legislation, and range closures. Add to that the multi-pronged approach to hold firearm manufacturers and retailers financially responsible for the unlawful acts of criminals with firearms, regardless of whether or not the firearm was stolen from its lawful owner.

"Also of concern is the ludicrous 'waiting period' on firearm purchases which has zero effect on the party who already has one or more firearms at home. The 'waiting period' has simultaneously jeopardized the safety of people who needed a firearm for self-defense but were denied access due to this dangerous law."

The daughter of a 20-year Air Force veteran who served in Vietnam during the conflict there, Jennifer grew up in a household where firearms were present, but were handled only by the adults. "My parents continually reinforced the idea that firearms were for adults," she told Point Blank, "but children could learn to use them during designated family outings. There was never a forbidden mystique about guns in my house. They were simply tools that did not generate any more interest or appeal than a wrench or drill."

Jennifer believes that, "as long as anti-gun organizations and anti-gun politicians remain in business, a shift in the balance of power and the threat of tyrannical gun control re-

mains a legitimate issue worth our attention. Furthermore, the mainstream media, which is notorious for either not bothering to understand the issue or for just being blatantly anti-gun, remains very much against us."

Ms. Freeman purchased her first firearm in 1998 when she was 29. She was living in Los Angeles at a time when home invasion robberies were being reported in the news on a daily basis. Several gang members commonly committed these robberies at the same time. Severe physical harm, including rapes and murder, was the typical result. "When you take a moment to visualize one or more violent criminals forcing their way into your home," she says, "you know that calling 9-1-1 is not going to save your life. I felt that I had a responsibility to plan for my defense, rather than die at the mercy of a home-invasion killer.

"There was very little representation for women at that time with regard to firearms. Feminist organizations, claiming to empower women, seemed to be more concerned to attacking the average male than preserving our right to self-defense and self-determination."

To combat anti-gun propaganda spewing forth from the likes of the White House Clintons, Rosie O'Donnell and Sarah Sarandon, Jennifer and other ladies formed Liberty Belles to dispel the false myths about firearms and firearm ownership. The Liberty Belles (www.libertybelles.org), she says, are working to combat "the unhealthy fear of an inanimate object (hoplophobia)...through education and personal empowerment."



QUICK SHOTS

The anti-gun New Jersey-New York U.S. Senate gang of four got together recently in introducing a bill to ban a single model handgun. Sens. Frank Lautenberg and Jon Corzine of New Jersey and Sens. Charles Schumer and Hillary Clinton of New York introduced S. 527 to ban the Five-sevenN Pistol and 5.7 x 38mm SS 190 and SS 192 cartridges and to prohibit the manufacture, importation, sale or purchase of such handguns or ammunition by civilians. The gang of four claims the item is a “cop killer.” Firearm experts point out that the Five seven is a semiautomatic pistol just like millions of other semiautomatic pistols, that BATFE has determined it is “particularly suitable for or readily adaptable to sporting purposes,” and in fact has approved its importation. Since under federal law, only non-armor-piercing types of 5.7 ammunition may be sold to the public, it appears there is nothing special about the 5 ammunition that is being sold to the public. S. 527 has been referred to the Senate Judiciary Committee, under the chairmanship of Sen. Arlen Specter of Pennsylvania.



Reps. Peter King of New York and John Conyers, Jr. of Michigan introduced H.R. 1168, to provide that the Attorney General of the United States shall prescribe such regulations as may be necessary to ensure that, if NICS is contacted by an FFL for information on whether receipt of a firearm by an individual whose name appears in the Violent Gang and Terrorist Organization File

maintained by the FBI would violate federal or state law, and the information available in NICS does not demonstrate that the receipt would be such a violation, the system shall preserve all records of the system with respect to the individual and the prospective transaction until the system has provided the records to the FBI. It was referred to the House Committee on the Judiciary, under the chairmanship of Rep. F. James Sensenbrenner, Jr. of Wisconsin.



Rep. Juanita Millender-McDonald of California introduced H.R. 165, the so-called Child Safety Lock Act of 2005. It would grant the Attorney General regulatory authority to ban handguns by authorizing him or her (remember Janet Reno) to set standards for integral and externally attached handgun “locking devices” that dealers would be required to provide in or with handguns they sell. In describing the standards, H.R. 165 implies a preference for potentially expensive and still on the drawing board “locking devices” that are built into the gun, such as those that are operated electromagnetically or with transmitters, rather than externally-attached cable locks. Referred to the House Judiciary Committee.



CCRKBA Chairman Alan M. Gottlieb last month condemned a suggestion by San Francisco Mayor Gavin Newsom that firemen be posted on street corners in violent neighborhoods. Newsom’s suggestion came at the same time

that five city supervisors are pushing an initiative to disarm the city’s law-abiding citizens. “Firemen are supposed to fight fires, not crime,” said Gottlieb. “Yet here’s Mayor Newsom, quoted in the San Francisco Chronicle, suggesting that fire trucks and their crews could be detailed to high crime areas as some sort of deterrent. The initiative to ban handguns in San Francisco is stupid, but this idea is just plain crazy.”



A pro-gun conservative group that represents the interests of police officers and crime victims says the murders of a judge and two other people in a downtown Atlanta courtroom last month should prompt lawmakers to crack down on criminals who grab guns away from police. The Law Enforcement Alliance of America has drawn up model legislation called the Disarming a Law Enforcement Officer Act. The proposal would provide severe penalties, above and beyond assault on an officer, for criminals who attempt to take an officer’s firearm. It would read that, “no person shall knowingly remove a firearm or weapon from the person of a law enforcement or corrections officer, or deprive a law enforcement officer or corrections officer of the use of a firearm or weapon, when the officer is acting within the scope of his duties, and the offender has reasonable cause to know or knows that the individual is a law enforcement officer.” Violators would face “aggravated felony” charges.

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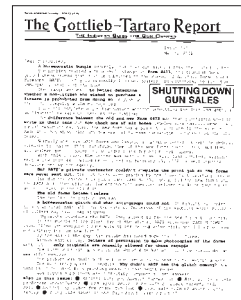


At last, an academic journal dedicated to scholarly discussion of firearms and public policy! The JOURNAL OF FIREARMS AND PUBLIC POLICY has published annually since 1989. Its mission: to encourage objective research on the right to keep and bear arms, and explore America's Constitutional heritage to 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.

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