

# POINT BLANK

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

## **GUN RIGHTS GROUPS CALL FOR COMMISSION TO STUDY CAUSES OF VIOLENCE**



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

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Two leading national gun rights organizations are calling for the creation of a national commission to study the causes of violence in America, and offer possible preventive measures.

The Second Amendment Foundation and Citizens Committee for the Right to Keep and Bear Arms said that a national dialogue on violence has already begun in the wake of the Sandy Hook school tragedy, but that a national commission would be more able to address the complexity of this dilemma.

"If we don't identify and get at the root causes of violence," said CCRKBA Chairman Alan M. Gottlieb of Bellevue, Washington, "it won't matter how many guns you ban, you will still have violence. There were no guns around when Cain slew Abel, and throughout recorded history, mankind has engaged in considerable violence. Only in the past two centuries have firearms played a historic significance."

"Connecticut already has laws regulating firearms and even modern semi-automatic rifles," noted SAF President Joseph Tartaro of Buffalo, New York. "They did not prevent what happened in Newtown, any more than Norway's laws, or Germany's or Russia's prevented some of the recent mass murders in those countries.

"If the public policy debate which is sure to follow," Tartaro continued, "focuses solely on gun law solutions and ignores all the other key questions, we will have done a disservice to the memories of all the victims of such madness in Connecticut, in Colorado, in Oregon, or anywhere else."

Both gun rights leaders noted that violence is a problem in the United States, and "we need to solve it."

"Gun owners are like anyone else," Gottlieb observed. "We have families, we have children and grandchildren. We want to keep them safe. We walk the same streets as any other citizen, and many gun owners have decided to protect themselves and their families. Our rights as gun owners should not be sacrificed in the interest of providing the illusion that 'something' is being done.

"Any meaningful discussion on violence," Gottlieb added, "would need to include mental health, violent video games, television shows and films, media malpractice that sensationalizes violence and the dangerously false sense of security created by so-called 'gun-free zones.'" "If we have a debate," Tartaro concluded, "let's make it a broad and meaningful one."

# CCRKBA NOTES TOUGH CT LAWS WERE BROKEN

Connecticut, according to the anti-gun Brady Campaign, has the fifth strongest gun laws in the nation.

Sandy Hook Elementary in Newtown is a "gun-free school zone," and under Connecticut law, 20-year-old gunman Adam Lanza could not legally carry a loaded handgun. There are laws against murder, and several days before the tragic shooting at Sandy Hook, Lanza tried unsuccessfully to purchase a rifle at a gun shop.

Yet with all of those safeguards that gun prohibitionists have rallied behind as "sensible," the Dec. 14 outrage occurred.

Alan Gottlieb, chairman of the Citizens Committee for the Right to Keep and Bear Arms, was quick to react.

"How many more tragedies does it take before we do something," he demanded in a statement to the media. "How many more children have to die before this country realizes that 'No Gun Zones' create perfect locations for violence? You can only stop violence with the fear of armed victims."

His words were echoed by many in the firearms community, as gun prohibitionists led by anti-gun Sen. Dianne Feinstein of California, resurrected their gun ban agenda.

CCRKBA has long criticized the notion of "gun free zones" as being risk-free environments for criminals and madmen.

In 2011, CCRKBA – responding to New York Mayor Michael Bloomberg's traveling billboard campaign claiming 34 people are "murdered with guns every day" – launched a counter effort to tell the other side of the argument.

"We answered Bloomberg's flash

with genuine substance," Gottlieb recalled. "We told people what Bloomberg deliberately didn't tell them. Guns save between 800,000 and 2.5 million lives annually. That's 2,100 to 6,800 people every day who successfully use firearms to defend themselves, or prevent a criminal attack. In the majority of those incidents, no shots are fired, and nobody is injured or killed. In some cases where shots are fired by armed citizens, several lives have been saved."

Bloomberg, Gottlieb noted, was almost immediately "out of the gate" to exploit the Connecticut tragedy, calling for tougher gun laws.

"Look at the facts," he told *Point Blank*. "Adam Lanza violated virtually every gun law on the books – gun laws that the gun ban lobby had repeatedly supported with claims that they would reduce the likelihood that this kind of crime could happen – and yet here we are, with another horrible event, this time involving our most precious and defenseless citizens, our children, in a victim disarmament zone."

"And who do the Feinsteins and Bloomborgs of the political left blame for this," he observed. "They blame firearms owners and our Second Amendment right and carefully avoid accepting any kind of personal responsibility for perpetuating the myth that designating someplace a 'gun-free zone' is going to keep them safe."

"CCRKBA is not going to allow them to deflect responsibility for having created this false sense of security," Gottlieb said. "Connecticut got high marks from the gun ban lobby for its restrictive laws, which they – not us – fraudulently insist

are the kinds of laws needed to keep madmen out of our shopping centers, public parks and our schools.

"Sandy Hook Elementary, like Columbine High School, Virginia Tech, the Westroads Mall and too many other allegedly gun-free venues have tragedy in common," Gottlieb said. "The firearms community is tired of taking the rap for the acts of madmen, and we're equally tired of being blamed by the people responsible for having created these murder zones."

"The failure of their restrictive gun laws, which we warned them would not work, is not our fault," he noted. "It is their fault, and they know it."



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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 CHAIR TELLS TV HOST TO 'TAKE A VALIUM'

It was a confrontation that has spread across the internet, when Alan Gottlieb, chairman of the Citizens Committee for the Right to Keep and Bear Arms, told the host of *The Young Turks* to "Calm down and take a Valium."

The host, Cenk Uygur, was arguing with Gottlieb about the availability of guns to people in Chicago, in the wake of an Appeals Court ruling that declared the Illinois ban on carry outside the home to be unconstitu-

tional, claiming that "Chicago is an island in an ocean of guns," and that people could go to neighboring states and buy guns at gun shows through the so-called "gun show loophole," with "no waiting period, no nothing."

"So," Uygur said, talking over Gottlieb, "isn't it the easiest thing in the world to get guns in Chicago?"

At that point, the CCRKBA chairman told his host to "Hold on, calm down and take a Valium."

Evidently Uygur didn't get the

message, because later in the segment, Gottlieb had to point out that "You haven't taken that Valium, yet."

Gottlieb told *Point Blank* that he knew about Uygur's volatile on-air personality and was prepared for an outburst.

"I had to immediately correct him," Gottlieb said, "by reminding the audience that it is totally illegal under current law for a resident of one state to travel to another state and buy a handgun. You just can't do that."

# CCRKBA BLASTS DOUBLE STANDARD IN NFL DEATHS

Two professional football players died tragically in December, yet one fatality was downplayed while the other got lots of coverage and set off a firestorm of debate.

One player murdered his girlfriend and then took his own life with a handgun, while the other died in a crash that appears to have been related to drunk driving. The driver, a fellow player, stands charged.

Javon Belcher committed the murder-suicide, while Dallas Cowboys player Jerry Brown died in the crash, with teammate Josh Brent at the wheel.

The Citizens Committee for the Right to Keep and Bear Arms, took the media and in particular NBC sportscaster Bob Costas to task for the double standard reporting.

"After the Javon Belcher murder-suicide," said CCRKBA Chairman Alan Gottlieb, "NBC's Bob Costas was having fits about a so-called 'gun culture,' but what about the culture of big money, flashy cars and alcohol that permeates the NFL?"

Dallas player Jerry Brown is dead from what appears to be a drunken driving crash involving teammate Josh Brent. Brown is no less dead than Javon Belcher or his girlfriend and Brent faces criminal charges. Costas was alarmed at the number of NFL players with guns, but he's said virtually nothing about the ones who drink and drive."

Drinking and substance abuse is no small issue in professional sports, yet the issue of players as gun owners seems to raise alarms much more loudly, Gottlieb contended. That much was evident when Costas, who took advantage of his halftime microphone to offer remarks about the "gun culture" did not ramp up the discussion about a "substance abuse culture."

"What Bob Costas doesn't know about guns," Gottlieb said, "would probably fill a library. His remarks about violent crime, gun owners and semiautomatic firearms demonstrated why the firearms community distrusts mainstream press because

many, if not most, of the talking heads don't know what they're talking about.

"According to FBI crime data," he continued, "the number of homicides involving firearms has declined over the past several years. Last year, out of 12,664 homicides, firearms were used in about 8,500 of those crimes, and handguns were used in less than half.

"Compare that to more than 10,000 deaths attributed annually to drunk driving," Gottlieb said, "yet where is the great discussion about that after Brown's death?"

"Costas asked who 'needs' a semiautomatic firearm," he added. "Well, who needs to drive drunk? NFL players certainly have enough money to pay for a cab ride, don't they?"

"How many drunks are on the road every weekend following tailgate parties at NFL games," Gottlieb questioned. "What's more dangerous, a citizen with a firearm or an NFL player with a bar tab?"

# CCRKBA BLASTS ANTI-GUN POL ARRESTED FOR AIRPORT GUN

The recent arrest of an Illinois state senator on a weapons charge offers a revealing look at the hypocrisy of anti-gunners, according to the Citizens' Committee for the Right to Keep and Bear Arms.

*The Chicago Sun-Times* reported that state Sen. Donne Trotter, a Democrat who represents Chicago's south side, was arrested in early December and later charged with attempting to board an airplane with a handgun.

This is a fourth-class felony charge and could result in jail time if he is convicted. Trotter's .25-caliber Beretta semiautomatic, along with a loaded magazine carrying six rounds, was spotted by TSA screeners at a security checkpoint at O'Hare International Airport. The newspaper reported that Trotter explained that he had worked the previous evening as a security guard and forgot that the gun was in his bag.

The incident set off a wave of criticism from the gun rights commu-

nity, and made headlines all over the country, largely because of CCRKBA's criticism.

"Trotter is a South Side Democrat and he was a leader in the move to ban so-called 'assault weapons' during his first term as a state representative," noted Gottlieb. "A man who favored banning firearms for thousands of his fellow Illinois residents shouldn't even have a gun, much less be packing one illegally into an airport."

Published reports also said Trotter has opposed a concealed carry measure for Illinois, an issue that will come to a head in the wake of the ruling by a Seventh Circuit Court of Appeals panel in December that the Illinois ban on firearms carry outside the home is unconstitutional. See related story in this issue.

While the charge against Trotter is a felony, he told reporters that he would remain in the race to replace former Congressman Jesse Jackson, Jr. The charge, however, may affect

his chances in that race, for which he seemed to be the favorite prior to the arrest.

"Senator Trotter, by his own action, has demonstrated the monumental hypocrisy of gun control advocates who try to disarm average citizens while reserving the right to bear arms for themselves alone," Gottlieb observed. "He should not even be serving in the state legislature, much less be running for a seat in Congress, which already has its share of gun prohibition hypocrites."

Trotter remained quiet following his arrest and subsequent release on \$25,000 bond.

"The Trotter incident underscores just how pathetic the anti-gun philosophy has gotten," he concluded. "Perhaps now he will realize how other citizens feel when they run afoul of some anti-gun law or regulation. He should apologize to every gun owner in Illinois."

## CITIZEN ACTION PROJECT

Most firearm-related laws are passed at the state level. Your state legislature will likely be going into session soon. This is where the majority of gun laws are written, and this needs to be your focus in the immediate future. All state legislatures maintain web sites where you can obtain contact information about your legislators and information about bills under consideration. Links to each states' web sites can be found at <http://thomas.loc.gov/home/state-legislatures.html> Just click on your state and it will take you to that state's legislative home page.

Then click on the "find your legislator" link on most of these sites. Now is the time to take a few moments to send your legislators (Senator and Representatives, Assembly persons or Delegates as appropriate) a brief letter. Ask them to keep you informed about any bills filed pertaining to the firearms issue (or any other issue of interest). This is a basic constituent service offered by ALL legislators. Once you know what bills are filed, you can then write back and state your position on these bills, provide information you believe is relevant, and ask for their support.

No internet access? Don't despair! Contact information for all of your elected officials, federal, state and local, may be found in the blue "government" listings in the front of your telephone directory.

# CCRKBA: ILLINOIS RULING A MAJOR VICTORY

The ruling by the Seventh Circuit Court of Appeals against the concealed carry ban in Illinois is a landmark decision that spelled out why gun rights battles are being waged on several fronts, noted Alan Gottlieb, chairman of the Citizens Committee for the Right to Keep and Bear Arms.

While CCRKBA was not directly involved in the case, there is lots of "red meat" in the ruling, authored by Judge Richard Posner, which reinforces the concept of concealed carry and bearing arms outside of the home for personal protection.

"One doesn't have to be a historian to realize that a right to keep and bear arms for personal self-defense in the eighteenth century could not rationally have been limited to the home," Judge Posner wrote.

"This ruling could have far-reaching implications beyond the Illinois state border," Gottlieb suggested.

One jurisdiction that should pay close attention is Washington, D.C. It remains the only place in the nation where some form of firearms carry outside the home for personal protection is still not permitted. One reporter, chatting with CCRKBA Communications Director Dave Workman, suggested that this is a special area, where the president lives and members of Congress work.

But one does not suspend the constitution simply because the president is in town, Workman explained.

The Posner decision was stayed for 180 days to allow the Illinois Legislature time to come up with a workable carry measure. Almost immediately, anti-gun Gov. Pat Quinn went on the warpath, declaring that a bill would have to be crafted with lots of restrictions so that people with

mental health histories or a history of domestic violence would not be allowed to get a carry permit.

A law enforcement source in Illinois noted to CCRKBA that this is specious at best. People with a history of mental illness, the source said, are already prohibited from possessing a firearm in Illinois, and that has been the case for many years.

The source also noted that Illinois has an FOID (Firearms Owners Identification) card requirement and every day, the state police receives information updates from every mental health facility in the state so that nobody slips through a crack. Anyone who spends more than 24 hours in any mental health facility in the state automatically has their FOID card revoked.

On the subject of domestic violence, the source confirmed that anyone convicted of a domestic battery violation also has their FOID card revoked. Without that FOID card, an Illinois resident cannot legally possess a firearm.

"Quinn knows this or he should know it," Gottlieb said. "He's throwing out these arguments simply to provoke hysteria among citizens that any carry provision would be perilous because crazy people or domestic abusers would be walking around legally with guns, and that is simply not true."

Posner also fired something of a warning shot across the legislature's bow when he cautioned against crafting a bill that might favor elites but leave average citizens unable to get a carry permit.

"Twenty-first century Illinois has no hostile Indians," the judge wrote. "But a Chicagoan is a good deal more

likely to be attacked on a sidewalk in a rough neighborhood than in his apartment on the 35th floor of the Park Tower. A woman who is being stalked or has obtained a protective order against a violent ex-husband is more vulnerable to being attacked while walking to or from her home than when inside. She has a stronger self-defense claim to be allowed to carry a gun in public than the resident of a fancy apartment building (complete with doorman) has a claim to sleep with a loaded gun under her mattress. But Illinois wants to deny the former claim, while compelled by *McDonald* to honor the latter. That creates an arbitrary difference. To confine the right to be armed to the home is to divorce the Second Amendment from the right of self-defense described in *Heller* and *McDonald*."

Judge Posner's ruling points to the history of armed self-defense, going back to 18<sup>th</sup> century English law. The judge noted that "Blackstone described the right of armed self-preservation as a fundamental natural right of Englishmen, on a par with seeking redress in the courts or petitioning the government."

"The Court in *Heller* inferred from this that eighteenth-century English law recognized a right to possess guns for resistance, self-preservation, self-defense, and protection against both public and private violence," Judge Posner wrote. "The Court said that American law was the same."

Although the judge's opinion suggests that firearms pose "a potential danger to more people if carried in public than if just kept in the home," he counters that with the potential of a deterrent factor.

# RAY WOOLLARD IS JANUARY DEFENDER OF THE MONTH

Raymond Woollard of Baltimore County, Maryland is the recipient of the CCRKBA January Gun Rights Defender of the month Award.

In the *Heller* (2008) case, the Supreme Court held that the Second Amendment protects and affirms the right of the individual citizen to keep arms in the home, for the purpose of personal protection. In *McDonald* (2010), the Court extended that fundamental Second Amendment protection nationwide. The next major step in Second Amendment jurisprudence is to affirm the “bear” portion of “keep and bear arms.”

Of the 49 states that issue concealed carry licenses, most have what are called “shall issue” laws, meaning that if the applicant meets clearly stated, objective criteria, the issuing authority MUST issue a license. However, in seven states the statutes are called “discretionary issue” laws, meaning that the decision of whether or not to issue a license is at the discretion of the issuing authority. Maryland is a “discretionary issue” states.

Mr. Woollard is the lead plaintiff in the case of *Woollard et al versus Sheridan et al*, challenging the Maryland law requiring applicants for concealed carry licenses in the “Old Line State” to “demonstrate cause” before a license may be issued. The suit was filed in the federal U.S. District Court in Maryland.

Mr. Woollard was first issued a concealed carry license in 2002 after a break-in at his home. The license was renewed in 2005, after the man committing the break-in was released from prison. Upon application for renewal of the license

in 2010, the Maryland State Police denied the application, citing Woollard’s failure to demonstrate “a reasonable precaution against apprehended danger.”

The Second Amendment Foundation joined Mr. Woollard in filing suit, and retained the services of Virginia attorney Alan Gura, who was lead attorney in both the *Heller* and *McDonald* cases, along with Maryland attorney Cary Hansel of Joseph, Greenwald and Laake of Greenbelt, Maryland.

Also in July, 2010, SAF funded a similar case in Westchester County, New York, another “discretionary issue” state, challenging its constitutionality, requiring applicants to “demonstrate good cause for the issuance of a permit. Two Westchester County residents, Alan Kachalsky and Christina Nikolov, were denied carry permits because they “failed to demonstrate a need for self protection distinguishable from the general public” (Kachalsky) and because Nikolov could not demonstrate that there was “any type of threat to her own safety anywhere.”

Filing briefs in support of the Maryland defendants were the Brady Center to Prevent Gun Violence and the San Francisco-based Legal Community Against Violence. Over the past several years, LCAV has drafted numerous “model” gun control laws proposed in several states, in effect a gun control advocates’ “think tank.”

The Brady Center also filed in the New York case as an “interested party,” as did several pro-gun groups, including the Academics for the Second Amendment and the Long Island Second Amendment Preservation Association. The Westchester County Firearm Owners Association filed an

amicus brief in support of the plaintiffs.

Several motions and counter motions in both lawsuits followed.

On 7 September 2011, NY Federal District Judge Cathy Seibel ruled in favor of the defendants, thus upholding New York’s law and the need-based requirement to obtain a pistol license. A Notice of Appeal was filed.

On 2 March 2012 in U.S. District Court of Maryland, in a summary judgment federal Judge Benson Everett Legg ruled for plaintiff Woollard, saying in his decision, “A citizen may not be required to offer a good and substantial reason why he should be permitted to exercise his rights. The right’s existence is all that he needs.” A Notice of Appeal by the defendants in the Woollard case was given in early April, and the appeal to the U.S. 4th Circuit of Appeals was filed on 6 April 2012. Oral arguments were heard by a panel of judges in the 4th Circuit in October of 2012.

The Woollard and Kachalsky cases go to the heart of the issue of “bearing” arms outside one’s home for the purpose of personal protection. In New York, gun owners lost... for now.

If Mr. Woollard prevails in his challenge and the 4th Circuit upholds Judge Legg’s summary judgment, this disagreement between the appellate courts will open the door to a possible U.S. Supreme Court challenge overturning the entire concept of “discretionary issue.” With the December ruling by the 7th Circuit that Illinois’ total ban on carry of loaded firearms outside the home is unconstitutional, we could see shall-issue licensing laws in all 50 states!



# QUICK SHOTS

State lawmakers in Alabama are once again going to consider legislation which, if passed, could increase gun rights for people while on the job.

The *Montgomery Advertiser* reported that a Democrat state senator from Russellville has sponsored the bill, which the paper says would bar most private businesses and employers from banning employees from storing firearms or ammunition in their personal vehicles if they follow the law.



California may have some of the nation's toughest gun laws, but that is not stopping people from exercising their Second Amendment rights.

The *Orange County Register* reported recently that as of the end of November, the FBI's instant check system had run nearly 982,000, or almost a million, background checks on prospective gun purchasers, an increase from previous years.



Lawmakers in Kansas will be considering legislation in the upcoming legislative session dealing with concealed carry. One newly-elected senator told the *Lawrence Journal-World* newspaper he plans on introducing legislation that would allow permit holders to carry their weapons in government buildings provided those facilities didn't have metal detectors.

Officials from the state's colleges and universities plan to oppose the legislation, and will seek to have amendments in the bill that would allow for exemptions to it, according to the paper.



His city may have been the scene of one of the worst mass shootings in U.S. history earlier this year, but the mayor of Aurora, CO, has said "thanks, but no thanks" to joining a major anti-gun group.

According to the *Denver Post*, mayor Steve Hogan declined to become a member of anti-gun New York Mayor Michael Bloomberg's Mayors against Illegal Guns, even though several other Colorado mayors, including Denver's, have gone on board.



On the heels of a Dec. 11 mall shooting in suburban Portland, OR, which left two dead and one injured before the shooter committed suicide, an Oregon state legislator has proposed a new bill which would further curtail gun rights in that state.

According to the *Salem Statesman-Journal*, the bill, proposed by state Sen. Ginny Burdick, would ban the ownership, sale or purchase of firearms which can hold more than 10 rounds of ammunition. The paper reports the bill was drafted back in late September, but in the wake of

the incident at the Clackamas Town Center, the senator has begun a new push for the legislation.



From the only cops should have guns file comes a story out of Colorado which goes to show the extremes some criminals will go to obtain firearms, irrespective of any sort of gun control regulations.

According to the *Pueblo Chieftain*, two Pueblo police cars were broken into early the morning of Dec. 11. Police told the newspaper that whoever did that attempted to steal a police shotgun from one of the vehicles but fortunately did not succeed. Still, a police spokesperson said that the gun was damaged.



In Pennsylvania, two young men got a little more than they bargained for when they attempted to steal a car from, of all places, a salvage yard.

According to WPXI-TV of Pittsburgh, police were called to a New Brighton auto parts store the afternoon of Dec. 8 after someone reported a burglary of the place was underway. Turns out that caller happened to be the owner of the store and salvage yard, who was holding the two miscreants at gunpoint when police arrived.

The two bad guys were taken away by police, and each now face several charges, reports the TV station.

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