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



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# CITIZENS COMMITTEE FOR THE RIGHT TO KEEP AND BEAR ARMS

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# CCRKBA ANALYSIS REVEALS ANTI-GUNNERS' GAME PLAN

A CCRKBA analysis of recent announcements from a major anti-gun organization reveals the developing outlines of an apparent anti-gun game plan for the forthcoming political season, particularly in certain gubernatorial races.

Among the targeted states are California, Maryland and Pennsylvania. In late May, Sarah Brady, on behalf of the Brady Campaign Voter Education Fund, endorsed California Gov. Gray Davis for reelection.

In a video endorsement, Brady praised Davis for his "unwavering support for common sense gun laws," and compared his strong anti-gun record to the pro-gun record of his opponent, Bill Simon.

Michael D. Barnes, president of the Brady Campaign to Prevent Gun Violence, recently represented Jim and Sarah Brady and the organization in Sacramento.

"Gray Davis knows that sensible gun laws save lives," said Sarah Brady, "and he has the courage to stand up to the gun lobby...Governor Davis signed the toughest assault weapon law in the country to get AK-47 type weapons off the street and he supported handgun safety standards and child-safety trigger locks to protect kids from guns and he enacted new laws to get illegal guns off the street and disarm dangerous felons."

In her endorsement, Brady criticized Simon as an extreme candidate backed by the "radical fringes" of the gun lobby. She said that Simon would let the "gun lobby write California's gun laws...We must not allow Bill Simon and his backers to repeal the assault weapon law and let criminals once again to have easy access to AK-47s."

Then, last month, the Brady Campaign, together with the Million Mom March, launched a series of radio attack ads against Maryland Republican gubernatorial candidate U.S. Rep. Bob Ehrlich, criticizing his record on guns and his alleged "strong ties to the gun lobby."

"Congressman Bob Ehrlich is wrong for Maryland," said Barnes, a former Democratic congressman from Maryland. "Ehrlich's dismal record on gun violence prevention demonstrates that he is an extremist who places the agenda of special interest groups above the safety of Maryland's residents. As a U.S. Representative, Bob Ehrlich, who claims to be a moderate, has never once voted for a common-sense gun safety measure."

According to the Brady Campaign statement, "The ad campaign highlights Bob Ehrlich's record on guns as a state legislator and as the U.S. representative for Maryland's Second District."

The Brady camp complained that Ehrlich, in his four terms in the House of Representatives, has "always voted with the extremist gun lobby and (Continued on page 2)

# WATCH OUT FOR McCAIN

Watch out for gun-grabbing attempts in the U.S. Senate to insert the McCain-Lieberman bill as an amendment to other bills.

McCain-Lieberman would ban private sales at gun shows unless all gun buyers undergo background checks. The chief sponsor of S. 890, Sen. John McCain (R-AZ), has aligned himself with the anti-gun Americans for Gun Safety (AGS).

As Miguel A. Faria, Jr., M.D., editorin-chief of the *Medical Sentinel* of the Association of American Physicians and Surgeons has written, "Sen. McCain and his anti-Second Amendment crowd are not going after 'closing loopholes,' as they claimed last year, but after shutting down all gun shows...Using a pincer strategy, AGS is launching a nationwide milliondollar ad campaign to help influence public opinion in support of the gun control bill from below, while Sens. McCain and Joseph Lieberman of Connecticut threaten to shut down gun shows from above, via legislation."

Despite all the disinformation spread by the gun control lobby, added David Kopel of the Independence Institute, "A gun show is really nothing more than people wishing to sell one or more firearms to others who wish to purchase (or simply to gaze upon) the merchandise. Most of the sellers are federally licensed dealers displaying their wares to prospective buyers outside their normal place of business.

"Anyone engaged in the business of selling firearms is required to be licensed by the Bureau of Alcohol, Tobacco and Firearms," he continued. "According to federal law, dealer sales must be accompanied by an instant background check, regardless of the premises where the transaction takes place. Federal law does not allow any exceptions. If you are engaged in the business of selling firearms, then you have to fill out the federal paperwork, and then call the FBI to get permission for every sale. There is no gun show 'loophole' which changes the rules."

self and family protection."

## Anti-gunners Strategy

(Continued from page 1)

against gun violence prevention." Ehrlich voted to repeal the assault weapons ban and the prohibition on semi-automatic firearms and, further angering the gun grabbers, he also voted against restrictive gun show legislation, and he opposed an amendment that would have allowed the Department of Justice to keep National Instant Background Check (NICS) records on gun purchases for at least 90 days, favoring instead the destruction of NICS records after just one day.

Ehrlich's opponent is Lieutenant Governor Kathleen Kennedy Townsend, daughter of the late Sen. Robert R. Kennedy of New York, and niece of anti-gun Sen. Edward M. Kennedy of Massachusetts.

In Pennsylvania, anti-gunner Ed Rendell, a former Mayor of Philadelphia, defeated pro-gunner Bob Casey for the Democratic gubernatorial nomination. The Brady Campaign and the Million Mom March hailed Rendell's victory.

"As we work to create an America free from gun violence, Ed Rendell is a leader who is capable of making this dream a reality for the residents of Pennsylvania," Barnes gushed.

As Mayor of Philadelphia, Rendell sought passage of a one-gun-a-month bill for the State.

Sarah Brady campaigned for Rendell, including recording a message that the Brady Campaign claims reached more than 10,000 Pennsylvania homes.

Rendell's opponent is the current Pennsylvania Attorney General, Mike Fisher, who previously has campaigned on a pro-gun platform.



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

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## **POLL SHOWS GUNS ARE**

A recently completed national survey shows clearly that a majority of Americans supports the individual Second Amendment civil right to keep and bear arms.

Zogby International interviewed 1,015 likely voters chosen at random nationwide on behalf of the Second Amendment Foundation in late May. The survey has a margin of sampling error of +/- 3.2 percent.

This demonstrates that positions on right to keep and bear arms issues taken by CCRKBA is in keeping not only with the views of the organizations' membership but with those of a majority of the general population as well.

Seventy-five percent of the respondents agree with the Justice Department's position that the Second Amendment protects their individual right to keep and bear arms.

This result follows a Supreme Court brief filed in which the Justice Department stated its interpretation of the Second Amendment that individuals have the right to bear arms. For over 30 years, it had argued that the Second Amendment protects only gun ownership by state militias, not individuals.

"This poll shows just how far out of the political and social mainstream gun control advocates have strayed," said CCRKBA Chairman Alan M. Gottlieb. "American citizens clearly understand the Constitution and Bill of Rights is about individual liberty, not some mythical collective privilege."

Republicans (84 percent) were most likely to agree with the Justice Department's position. Residents of the South and the Central/Great Lakes, and West (79 percent average) as well as respondents 18-24 years old (82 percent) also were more likely to agree. Majorities of Democrats (65 percent), Easterners (60 percent), respondents earning \$75,000 and above annually (70 percent) and those 65 years or older (65 percent) also agreed with the Justice Department.

The poll showed that only a minority of Democrats (29 percent), Catholics (30 percent), residents of the East (36 percent), people with annual household incomes of \$75,000 plus (29 percent) and seniors age 65 and older (26 percent) disagreed with the individual right position.

"These poll results prove gun controllers have lost political ground because the central plank of their platform is a losing proposition," Gottlieb observed. "This poll indicates that anti-gunners are not even in step with their traditional core groups. It is debatable whether they ever have been.

"It's no surprise that Democrats, facing this fall's elections, are running away from the gun control agenda their party has steadfastly pushed for the last 40 years," Gottlieb concluded. "They've lost elections because they've lost credibility, and that's because they clearly have lost touch with the voters they are supposed to represent."

#### SUPREME COURT AVOIDS 2ND AMENDMENT

The U.S. Supreme Court said it would not hear two cases testing the government's new position that the U.S. Constitution protects the right of individuals to keep and bear arms.

Without comment, the high court turned down requests to hear the cases of two men convicted of violating federal gun laws, including Dr. Timothy Joe Emerson, the Texas physician whose case led to the celebrated ruling by the 5<sup>th</sup> Circuit Court of Appeals that the Second Amendment protects an individual right.

The Bush Administration had told the court the government was reversing a decades-old policy on the Second Amendment. The administration said its new position does

not undermine gun laws because the Second Amendment is still subject to "reasonable restrictions."

The administration urged the high court not to accept the appeals of Emerson and John Lee Haney. Both were properly charged under laws the administration considers reasonable limitations on the right to gun ownership, Solicitor General Theodore B. Olson stated. Haney walked into a police station in Oklahoma, declaring that he had two machine guns, neither of which was registered as required by federal statute.

"The current position of the United States," wrote Olson in footnotes to the Emerson and Henry cases, "is that the Second Amendment more broadly protects the rights of individuals, including persons who are not members of any militia or engaged in active military service or training, to possess and bear their own firearms."

In *Emerson v. United States*, No. 01-8780, the U.S. Court of Appeals for the Fifth Circuit held that the Second Amendment did protect an individual right to bear arms, subject to "limited, narrowly tailored specific exceptions or restrictions." The appeals court found that a federal law prohibiting gun possession by people under restraining orders for domestic violence fit within such an exception, "though barely so."

#### **CCRKBA CLOBBERS**

New York's fanatical anti-gun Sen. Charles Schumer was recently caught in a textbook case of contradiction by leaders of the Citizens Committee for the Right to Keep and Bear Arms, who publicly ripped the Democrat for what appears to be election year hypocrisy.

In a May 8 press release, Schumer announced, "The broad principle that there is an individual right to bear arms is shared by many Americans, including myself."

CCRKBA Chairman Alan Gottlieb and Executive Director Joe Waldron both quickly issued a blistering press release recalling Schumer's April 5, 1995 comment, during a hearing of the House Subcommittee on Crime, "The Second Amendment...does not guarantee the mythical individual right to bear arms we will hear argued for today."

"Chuck Schumer is once again talking out of both sides of his mouth," said Gottlieb. "Suddenly, like so many other anti-gun Democrats looking ahead to this fall's mid-term elections, Schumer has suddenly become a supporter of gun rights. He must think the American public is as dumb as he is, or he is suffering from schizophrenia. He has contradicted his own public position on the right to keep and bear arms."

In his May 8 statement, Schumer also asserted, "States and local communities need to be able to pass gun laws that deal with their own particular issues. What works in one part of the country isn't going to work in another."

"If Schumer truly believes this," Waldron challenged, "then why is he still pushing national gun control laws? One size does not fit all, and he's finally admitting that. States should be allowed to establish their

own level of gun control, and Chuck Schumer should keep his unconstitutional federal gun control schemes out of the process."

There were other glaring contradictions in Schumer's two public statements, and Gottlieb continued hammering the perennial anti-gun Democrat.

Schumer stated May 8, "I'm of the view that you can't take a broad approach to other rights, such as First Amendment rights, and then interpret the Second Amendment so narrowly that it could fit in a thimble."

"I can't understand," Gottlieb observed, "how on one hand Senator Schumer says the right to keep and bear arms is an individual right that should be interpreted as broadly as other rights, and on the other hand he hasn't met a gun control bill that he hasn't gone to bed with.

"In 1995," Gottlieb continued,

"Schumer called the individual rights interpretation a 'phony opinion.' Now, however, he is intimately embracing the Second Amendment. In 1995, he called the Second Amendment 'an empty cereal box in the market place of ideas.' Today, Chuck Schumer has become a gigolo as a lover of liberty."

Waldron accused the anti-gun New York senator of trying to reinvent himself for political expediency, while Gottlieb recalled that in his 1995 remarks, Schumer defined the individual rights interpretation of the Second Amendment as "a lie."

Stated Waldron, "Maybe Schumer knows what the Constitution says, but he couldn't care less."

Added Gottlieb, "And maybe Schumer knows what the truth is, but he's never cared much about that, either."

## **CITIZEN ACTIO**

Summertime is vacation time for most citizens and elected officials.

Specifically, Congress takes several formal recesses during the summer period communicate with constituents. These communications take many forms, include to a few hundred citizens, public appearances where the citizens they represent constituents.

Private meetings generally are difficult to schedule due to recess time constra offer the best opportunity to discuss issues of importance with your elected Repr

Public appearances usually involve a speech at some scheduled event. In mo "Town hall meetings" generally are the most practical opportunity for citizens issue – and what they expect the official to do about it. A town hall meeting usua opens up to a question and answer period or other form of two-way dialogue.

Typically, congressional recess periods include some weeks in August and a following Labor Day, the appropriation process usually is the primary focus for Me little to do with gun control, these bills are favorite vehicles for hiding controversial either the Reed version or McCain-Lieberman, hidden in the Treasury or Justice I

Call your Representative's or Senators' district office (in the blue pages at the a town hall meeting in your area. Plan on attending the meeting and listening to guns, bring up the issue. Tell them that the events of 9-11 show the American puby the rush on gun stores and on concealed carry license applications. Stand up

#### MEDIA HIGHLIGHTS CCRKBA IN FIGHT FOR COCKPIT GUNS

After John Magaw, undersecretary for Transportation Security, ruled against the arming of airline pilots, even in the face of the current international terrorist threat, the political battle trumpets sounded full force in the nation's capital.

PRWeek, a professional weekly magazine of the public relations industry, noted that "pilots unions and pro-gun associations are refusing to back down, despite the Department of Transportation's (DOT) recent decision not to allow commercial pilots to carry guns. Instead, they are vowing to take the fight to Congress, where a bill to override the DOT's decision is being considered.

"'Prohibiting American airline pilots from carrying handguns in response to the militant Islamic terrorist threat is appalling, disgusting and revolting,' said John Michael Snyder, public affairs director of the Citizens Committee for the Right to Keep and Bear Arms."

PRWeek wrote that CCRKBA "is joined by other pro-gun lobbies, such as the NRA and the Allied Pilots Association (APA), as it politicizes the issue in hopes of swaying members of Congress."

The Washington Times also cited the leading role bring played by CCRKBA in the struggle.

"John Michael Snyder, dean of the nation's gun lobbyists and spokesman for the Citizens Committee for the Right to Keep and Bear Arms," wrote columnist John McCaslin, "tell us what you really think about the government's decision to prohibit commercial airline pilots from possessing handguns in the cockpit in response to the terrorist threat...

Public opinion surveys indicate that both pilots and the general public support the arming of pilots, Snyder noted.

The measure under consideration is the proposed Arming Pilots Against Terrorism and Cabin Defense Act of 2002.

Congress is considering H.R. 4635, introduced by Reps. Don Young of Alaska and John Mica of Florida, with over 45 cosponsors at last count, and its companion bill, S. 2554, introduced by Sen. Bob Smith of New Hampshire, with Sens. Jim Bunning of Kentucky, Conrad Burns of Montana, Zell B. Miller of Georgia, Frank H. Murkowski of Alaska and Strom Thurmond of South Carolina as original cosponsors.

If enacted, the measure would deputize trained pilots to use guns to defend their airplanes from terrorist attackers, mandate the administration to put armed pilots in the cockpits within 90 days, and shield airlines from liability.

The proposal would also improve the Aviation and Transportation Security Act, signed into law last Nov. 19 by President Bush. That Act authorizes commercial airline pilots to carry firearms in airline cockpits, subject to proper training, provided such carrying complies with airline policy, and meets with the approval of the Dept. of Transportation.

"It's time to quit fooling around with this issue," said Snyder, "and to enact the new proposals. Our traveling public's safety, as well as the future viability of the airline industry itself, is at stake."

Tens of thousands of people had signed a petition urging Congress to create a program to train and arm U.S. airline pilots before Magaw announced his decision in late May.

Rep. Mica, who chairs the House Aviation Subcommittee, accepted the petition, circulated by the Airline Pilots Security Alliance (APSA)...

### TION PROJECT

ner period – recesses where Members of Congress return to the home district to , including "town hall meetings," where they address gatherings of a few dozen epresent can at least see them if not talk with them, and private meetings with

constraints and heavy competition for Representatives' availability. But they also ed Representative.

nt. In most cases, there is no time set aside for constituent input to the legislator. citizens to let their elected representative know exactly where they stand on an ng usually starts with a presentation by the Representative or Senator, but then gue.

st and an extended Labor Day weekend. Upon their return to Washington, D. C. is for Members of Congress. While appropriation measures would appear to have oversial issues. It would not be surprising to see "gun show loophole" legislation, lustice Department appropriation bills.

s at the front of your telephone directory) and ask when he or she will be holding ening to what these officials have to say about the gun issue. If they're silent on rican public supports the individual right to keep and bear arms – as evidenced tand up and be counted!

#### AVIATION CHAIRMAN IS CCRKBA AWARDEE

U.S. Rep. John L. Mica of Florida, Chairman of the Subcommittee on Aviation of the House Transportation and Infrastructure Committee, is the July recipient of the CCRKBA Gun Rights Defender of the Month Award.

CCRKBA Public Affairs Director John Michael Snyder stated that, "During these perilous times, Chairman Mica has come front and center during the national debate on the right of qualified commercial airline pilots to keep and bear arms. In the face of the ongoing militant Islamist terrorist threat, the ability of pilots to protect themselves and their passengers has become a matter of great consequence. The particular issue highlights in striking detail the right of law-abiding citizens generally and in more ordinary circumstances to keep and bear arms for the protection of their lives and the lives of their loved ones."

Congressman Mica has taken a strong lead as Aviation Subcommittee chairman to promote the ability of pilots to carry guns in cockpits for protection against the continuing terrorist threat. He has stood up to anti-gun bureaucrats in promoting legislation to ensure that qualified pilots may be armed if they so desire, Snyder noted.

"He surely is most deserving of this award," Snyder insisted.

Mica is pushing H.R. 4635, which he introduced along with the Transportation Committee chairman, Rep. Don Young of Alaska, a past CCRKBA Gun Rights award winner.

H.R. 4635 would require the Under Secretary of Transportation for Security to establish a program not later than 90 days after the date of enactment to deputize qualified volunteer pilots as federal law enforcement officers to defend the cockpits of commercial aircraft in flight against acts of criminal violence or air piracy.

"We have armed military personnel in our airports," said Rep. Mica. "We have armed law enforcement officers at our departure gates. We have armed air marshals aboard our

planes. Our pilots have requested the ability to defend themselves – they are our last line of defense and should have at least a fighting chance. Congress must comply with their request."

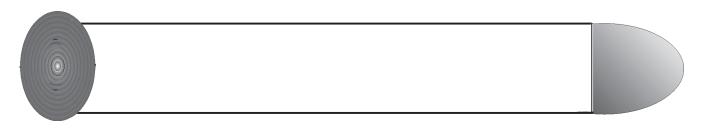
Under Section 128 of the Aviation and Transportation Security Act, a commercial pilot may carry a firearm aboard an aircraft if he receives approval from the Under Secretary of Transportation for Security and his employer, and he has received proper training. In late May, Undersecretary John Magaw said he would not permit the arming of the pilots. The Mica-Young bill would overrule Magaw's decision.

Mica is a cosponsor of H.R. 2037, by his fellow Floridian, Rep. Cliff Stearns, another CCRKBA Gun Rights award winner. This proposal would protect manufacturers, sellers or trade associations from civil liability if they do nothing illegal or negligent in the conduct of interstate business.

Mica also cosponsored Rep. Stearns' proposal providing that an individual who has a valid permit to carry a concealed firearm in any state may carry that firearm in any state.

Mica received an Associate of Arts degree from Miami-Dade Community College in 1965 and his Bachelor of Arts from the University of Florida in 1967. He married Patricia Szymanek in 1972. They are the parents of two children, D'Anne and Clark. Mica was a member of the Florida House of Representatives from 1976 to 1980.

Last year Rep. Mica was named chairman of the House Subcommittee on Aviation, with jurisdiction over civil aviation, including airport improvement, aviation safety and security, and other related issues.



On Capitol Hill, CCRKBA announced its opposition to H.R. 4674, the proposed Nationwide Gun Buyback Act of 2002 introduced by Del. Eleanor Holmes Norton of the District of Columbia. The measure would provide \$100 million in federal funds to local jurisdictions to hold gun buyback programs. It would require that a jurisdiction certify that it is capable of destroying the guns within 30 days in order to receive the funds, which would be distributed through BATF. Referred to the House Judiciary Committee.

**\* \* \*** 

The Ohio State Supreme Court reinstated a lawsuit that Cincinnati filed against gun makers. The justices ruled 4-3 that an appeals court erred in dismissing the lawsuit and ordered the case back to Hamilton County Common Pleas Court. Justice Francis Sweeney said the June ruling does not imply that Cincinnati will be successful in its lawsuit but that the city had enough facts to pursue its claims. Chief Justice Moyer said in opposition that the alleged injuries Cincinnati suffered were too far removed from the conduct of gun makers to give the city the ability to sue. "The question is not whether the city can prove that it has suffered damages," he said, "but whether the city can prove that those damages are attributable to the wrongdoing of the gun manufacturers as opposed to other, independent factors."

In Washington, D. C., the U.S. Attorney's office argued in Superior Court that the District's virtual ban on handgun acquisition should be upheld, brushing aside the Bush Administration's new directive that the Second Amendment guarantees individuals the right to keep and bear arms. In the first of at least three cases that challenge the District's prohibition as unconstitutional, reports The Washington Post, Assistant U.S. Attorneys filed motions defending the broad statute, citing a 15-year-old D.C. Court of Appeals decision as binding local

precedent.

Division Two of the Arizona Court of Appeals made a ruling contrary to the state's preemption statute. The court authorized the City of Tucson to regulate the private transfer of firearms at gun shows on private property. This authorization overturns a finding earlier this year by the Pima County Superior Court that prohibited such local regulation.

In the New York State Legislature, Sen. Jim Seward of the 50<sup>th</sup> District has introduced S. 2458, to protect firearm manufacturers from reckless lawsuits seeking to hold the gun industry responsible for the criminal misuse of firearms.

Referred to the Senate Judiciary Committee.

A Belgian company reportedly has made a prototype of a "smart gun" that can only be used by its owner, developed under contract with the U.S. government. "The idea is to make a gun fire when the owner wants it to and not to when the owner doesn't want to," said Robert Sauvage, a spokesman for FN Herstal. The company has received about \$20 million from the U.S. Department of Justice, according to a Reuters account. Sauvage said the system now being tested uses an electronic recognition device attached to the owner, which the gun would be able to recognize. He said production could start in three years. The company's branch in the United States is FN Manufacturing, Inc. The company says the cost of such a firearm could be about 20 percent more than a conventional gun.

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