



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

STALEMATE ON CAPITOL HILL?

Let's hope not!
However, let's also take a good, hard look at the congressional situation in Washington, D.C.

We're now about halfway through the First Session of the 109th Congress, a Congress that, after last November's national elections, was supposed to turn out to become one of the most pro-gun Congresses, if not THE most pro-gun Congress, in years.

Yet, so far, the major pro-gun bills on the pro-gun agenda have yet to become law, or even to be acted on in a definitive manner.

So, we might ask the supposed pro-gun congressional leadership: What's going on with you guys?

As one example, the proposed Protection of Lawful Commerce in Arms Act, S. 397 in the Senate and H.R. 800 in the House of Representatives, has yet to be taken up for action.

This is the measure that, if passed by both Houses of Congress and signed into law by the President, would protect law-abiding firearm manufacturers from reckless, predatory, and potentially bankrupting lawsuits.

For the sake of the viability of the individual Second Amendment civil right to keep and bear arms by law-abiding American citizens, it is imperative that S. 397/H.R. 800 be enacted.

As of this writing, S. 397 has well over half the Senate listed as cosponsors and H.R. 800 has well over half of the House of Representatives listed as cosponsors. This should indicate that there is sufficient support in both Houses of Congress for passage of the legislation.

Last year, a House version of the proposal actually did pass in that body by a significant margin.

It appeared subsequently that there was sufficient support in the Senate to bring about favorable consideration there as well.

A combination of factors, though, such as a threatened filibuster and a threatened consideration of anti-gun "killer" amendments, combined with a Senate membership not quite as pro-gun as the current, post 2004 election Senate supposedly is, prevented Senate floor consideration of the proposal.

Now, though, the doors should be open for enactment of the proposed Protection of Lawful Commerce in Arms Act into law.

So, it is important for Point Blank readers to contact their Representative and both of their Senators regarding passage of the proposal – without anti-gun amendments – so that our country can put a halt to these anti-gun lawsuits.

We the people must continue to exercise our right to petition Congress and put a stop to these anti-gun, anti-right to keep and bear arms lawsuits.

(Continued on page 2)



**June
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IN THIS ISSUE

Stalemate on Capitol Hill	1-2
Former BATFE Agent Ripped	2
Florida "Castle Doctrine"	3
Snyder Honored	3
Lockyer Bullet Etching Plan	4
Hillary Clinton Ravidly Anti-Gun	4
DeWine Anti-Gun Proposal	5
Citizen Action Project	5
Defender of the Month	6
Quick Shots	7

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CCRKBA RIPS STATEMENT BY FORMER BATFE AGENT

CCRKBA officials stated last month that an outrageous remark by a former official with the Bureau of Alcohol, Tobacco and Firearms (BATFE) was "nothing short of slanderous."

Gerald Nunziato, former head of BATFE's National Tracing Center and now a partner in Crime Gun Solutions, an anti-gun consulting firm, told the Houston Chronicle recently, "If it wasn't for criminals, there wouldn't be a gun industry in this country."

CCRKBA Chairman Alan M. Gottlieb fired back: "If it wasn't for remarks like Nunziato's, perhaps law-abiding American gun owners would not consider BATFE an adversarial agency when it comes to Second Amendment rights. His comment is nothing short of slanderous. I guess in his opinion we're all criminals."

Nunziato was in charge of the BATFE's National Tracing Center from late 1991 through the end of 1998 under the Clinton Administration. He opposed the proposed Lawful Commerce in Arms Act of 1994, and as far back as 2002, he was

claiming to Bill Moyers in a Public Broadcast System program called "Gun Land" that, "Terrorists could come to this country and obtain firearms so easy... We sell anything in this country and obtain firearms so easy... We sell anything in this country. It's very easy to obtain weapons here from gun shows, pawn shops, straw purchases, relatives, through newspaper ads."

CCRKBA Executive Director Joe Waldron said that, "Gerald Nunziato appears intent on spreading anti-gun hysteria with such remarks. It's no wonder why he is frequently quoted by anti-gun rights extremists like Senators Dianne Feinstein of California and Frank Lautenberg of New Jersey, and the zealots at the Brady Campaign. It's disappointing that the Houston Chronicle published his remarks as though they were factual, when it is easily proven otherwise."

Nunziato, Gottlieb recalled, "has admitted under oath in the California case against Arcadia Machine and Tool, Inc. that just because guns sold by specific dealers were eventu-

ally involved in crimes there could be no conclusive claim of wrongdoing without supporting data.

"We sincerely hope that Nunziato's statements do not reflect the philosophy of the BATFE today. This kind of anti-gun bigotry has no place in an agency that deals with firearm manufacturers, distributors, retailers and American gun owners on a daily basis."

STALEMATE

Continued from page 1

We can continue to use contemporary forms of communication to make our views known to our congressional officials. We can telephone, send email messages and fax messages to the officials on Capitol Hill and in their home state and district offices. If and when possible, we can actually visit them in their home and Capitol Hill offices. We can utilize whatever legitimate means of communication are at our disposal to get across our

message.

By all means, we should do this. After all, this is our government, and we should make sure it responds to our wishes.



POINT BLANK

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

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CCRKBA HAILS FLORIDA “DEADLY FORCE” MEASURE

CCRKBA hailed Florida’s new law allowing people to use firearms or other instruments of deadly force to defend themselves in public places without first trying to escape.

In Washington, D.C., John Michael Snyder, CCRKBA Public Affairs Director, said, “We congratulate Florida Gov. Jeb Bush for signing this bill into law. Law-abiding citizens ought to be able to use such force in order to defend against violent criminal predators, and not just in their own homes. This kind of approach to fighting violent crime is what we need to turn the tide against the criminal and in favor of the law-abiding citizen. We hope to see similar proposals enacted in other jurisdictions as well.”

Under what is known as the “castle doctrine,” Floridians already had the legal right to defend themselves against home intruders but, until enactment of this “stand your ground” bill, they could not do so in public.

Governor Bush said he supported the measure because when people faced life-threatening situations, “to have to retreat and put yourself

in a very precarious position defies common sense.”

The State’s Attorney General, Charlie Crist, also supported the measure.

The bill’s sponsor, Florida State Representative Dennis K. Baxley, said the measure would curb violent crime and make citizens feel safer.

“It’s a clear position that we will stand with victims of violent attacks when the law is in their favor,” said Rep. Baxley. “People want to know we stand on the side of victims of crime instead of the side of criminals.”

The measure codifies what many courts have ruled already in the State of Florida. This is that a citizen need not try to escape an intruder in his home or workplace before using deadly force in self-defense.

According to the wording of the Florida law, any person “has the right to stand his or her ground and meet force with force, including deadly force, if he or she reasonably believes it is necessary to do so to prevent death or great bodily harm.”

Florida law already let residents defend themselves against attackers if they could prove they could not have

escaped. The new law allows them to use deadly force even if they could have fled and says that prosecutors must automatically presume that would-be victims feared for their lives if attacked.

The measure passed unanimously in the State Senate, where State Sen. Durell Purden sponsored it, and was approved by a vote of 94 to 20 in the State House of Representatives, where it had nearly a dozen Democratic cosponsors.

This overwhelming and bipartisan support for the deadly force bill alarmed national gun control advocates. Sarah Brady of the Brady Center to Prevent Gun Violence, for instance, told The Washington Post she was “in absolute shock.”

Florida Rep. Baxley ridiculed critics as “hysterical.”

SNYDER HONORED AT GALA

The American League of Lobbyists (ALL) recently honored CCRKBA’s Chief Lobbyist John Michael Snyder during its 25th Anniversary Gala Dinner.

ALL maintains that the term lobbyist stands for a profession that exercises, and assists others in exercising, the rights of free speech and petitioning the government embodied in the First Amendment. It has adopted a Code of Ethics for the lobbying profession.

Snyder, named “dean of gun lobby-

ists” by The Washington Post and The New York Times, has represented CCRKBA on Capitol Hill since January of 1975.

ALL President Paul A. Miller presented Snyder and four other lobbyists with plaques and honorary lifetime memberships. He said Snyder and the others “are a distinguished group of lobbyists who had a vision of creating a professional organization for our profession.”

The other four are William I. Althen of Ogletree, Deakins, Nash, Smoak

& Stewart; Tom Finnigan of Praxair, Inc.; and independent consultants John Carson and John Vance.

Gala sponsors included the American Society of Civil Engineers, The Boeing Company, Butera & Andrews, Foley & Lardner, GetActive Software, GolinHarris, HDR, Inc., Kimberley Consulting, Inc., Miller/Wenhold Capitol Strategies, LLC, PAC Services, LLC, the Society of American Florists, and Washington Gas.

CCRKBA RAPS LOCKYER BULLET ETCHING PLAN

A proposal by California's anti-gun Attorney General Bill Lockyer to require serial numbers on every handgun bullet and cartridge case sold in the Golden State is a back-door attempt to make ammunition so cost prohibitive that it essentially will disarm law-abiding gun owners, CCRKBA said last month in Sacramento.

The bill passed the California Senate's Public Safety Committee on a 4-2 vote in late April.

"Bill Lockyer's plan to laser-etch handgun ammunition in California is a numbers game that adds up to zero," said CCRKBA Chairman Alan M. Gottlieb. "This idea is being pushed ostensibly to make it easy for police to identify criminals who misuse guns. It would not only be enormously expensive for ammunition companies to accomplish, it also amounts to a scheme to register every gun owner in California by the am-

munition he or she purchases.

"California authorities can't seem to round up tens of thousands of illegal aliens, many of them gang members, and they have found it impossible to stem the flow of illegal drugs into the State. Criminals already disobey California's draconian gun laws, and the laws against assault and murder, so what makes Bill Lockyer think these same hoodlums won't ignore a law that otherwise only will penalize law-abiding gun owners? If they can smuggle drugs and people into California, criminals will just smuggle ammunition into the state, too. What does Lockyer not understand about this?"

Lockyer's proposal would require ammunition manufacturers to laser etch every handgun bullet and cartridge case sold in California. People buying handgun ammunition would have to sign for it. It would make it a crime for anyone coming into

the state to bring such ammunition without serial numbers.

"This is not just a California issue," noted CCRKBA Executive Director Joe Waldron. "It could cripple the entire ammunition industry. The Sporting Arms and Manufacturers' Institute (SAAMI) thinks this idea is crazy, and we concur. Indeed, SAA-MI says it would be an impossible task to serialize ammunition headed to California, and it appears this is exactly what the anti-gun lobby has in mind. It essentially would end ammunition sales in the state, and for what reason? There is no evidence that marking ammunition would have any value in preventing crime.

"If Bill Lockyer wants to fight crime by the numbers, he should hold his breath, count to a hundred and forget about this goofy scheme."

HILLARY CLINTON RABIDLY ANTI-GUN

Despite current attempts to present the junior Senator from New York as a politician who is developing a "moderate" or "centrist" image, the record shows Hillary Rodham Clinton is one of the most anti-gun members of the Senate.

Although she is keeping a low profile on this issue, she in fact is a cosponsor of at least three separate pieces of anti-gun legislation introduced in the Senate so far during this first session of the 109th Congress.

The wife of former President Bill Clinton, the most anti-gun President in American history, Hillary generally now is considered the front runner

for the Democrats' presidential nomination in 2008.

She is a cosponsor of S. 527, by Sen. Frank Lautenberg of New Jersey, the so-called proposed Protect Law Enforcement Armor Act, to prohibit the manufacture, importation, sale or purchase of the Five-seveN Pistol and SS190 and SS192 cartridges by civilians.

She is a cosponsor of S. 578, also by Lautenberg, the so-called proposed Terrorist Apprehension and Record Retention Act of 2005, to require the government to maintain for at least 10 years gun purchase records of persons whose names appear on ter-

rorist watch lists even though there is no indication of how or by whom such names appear on these watch lists.

She is a cosponsor of S. 620, by Sen. Dianne Feinstein of California, the so-called proposed Assault Weapons Ban Reauthorization Act of 2005, to reinstitute for 10 years the so-called "ban" on so-called "assault weapons," actually a ban on the importation and manufacture of certain semiautomatic firearms. Clinton's husband signed this into law when he was President. It sunset last September.

DeWINE GUN BILL WOULD APPLY FOREIGN LAW TO U.S. GUN SALES

A bill sponsored by Sen. Mike DeWine of Ohio would reinterpret a recent U.S. Supreme Court decision that people convicted of crimes overseas still can own guns in the United States.

In a 5-3 decision, the Court ruled in favor of Gary Sherwood Small of Pennsylvania. The Court reasoned that U.S. law, which prohibits felons who have been convicted in "any court" from owning guns, applies only to domestic crimes. (Small v. United States, 03-750)

In 1998, Small answered "no" to the felony conviction question on a federal form when he bought a handgun a few days after he was paroled from a Japanese prison for violating Japan's weapons laws.

Two years later, Small was indicted for lying on the form and for owning

illegally two pistols and 335 rounds of ammunition. Subsequently, he entered a conditional guilty plea pending the outcome of his case.

In the Supreme Court decision, Justice Stephen G. Breyer, writing for the majority, stated that interpreting the law broadly to apply to foreign convictions would be unfair to defendants because procedural protections are often less applied in international courts. If Congress intended foreign convictions to apply, they can rewrite the law specifically to so state.

That's just what the DeWine bill, S. 954, the proposed Firearms Fairness and Security Act, introduced within days of the Small decision, would do.

Referred to the Senate Judiciary Committee, S. 954, if enacted into law, would prohibit the sale of a firearm to a person who has been convicted of

a felony in a foreign court, provided such felony is commensurate with a felony in a domestic court.

In the Supreme Court decision, Justice Breyer had written that, "we have no reason to believe that Congress considered the added enforcement advantages flowing from inclusion of foreign crimes, weighing them against, say, the potential unfairness of preventing those with inapt foreign convictions from possessing guns."

Justices Stevens, O'Connor, Souter and Ginsburg joined Justice Breyer.

Justices Thomas, Scalia and Kennedy dissented. Chief Justice Rehnquist did not participate.

PRO-GUN TEXAN THE CCRKBA DEFENDER

Benedict D. LaRosa of the San Antonio, Texas area is the CCRKBA Gun Rights Defender of the Month for June.

In nominating Mr. LaRosa for the Award, John Michael Snyder, CCRKBA Public Affairs Director, stated that, "these days, when gun grabbers seem to be somewhat on the ropes politically, they have begun aggressively to implement a divide and conquer strategy. Following this approach toward their goal of undermining or eliminating the individual Second Amendment civil right to keep and bear arms, they seek to split off different sectors of the Second Amendment community from one another. Instead of proposing some kind of universal gun control scheme, for instance, they will propose a limited form of gun control, hoping that gun owners not directly affected by such proposal will ignore it, thereby allowing such proposal to be enacted into law. If they were to succeed with this approach in a number of different areas, they would be able over time virtually to eliminate the right to keep and bear arms.

"Fortunately for us, though, there are pro-gun thinkers who see right through this strategy. Such an individual is Ben LaRosa. Active in the struggle against governmental encroachment on personal liberty for 30 years, he recently exposed the fallacy behind attempts to ban certain so-called "armor piercing" ammunition for civilians. For this as well for his previous pro-gun activities, he certainly deserves the recognition indicated by this Award."

When anti-gun legislators at the federal and some state levels proposed measures recently to ban the

Five sevenN pistol (FN 5.7), LaRosa noted the given reasons were "its supposed easy concealability and the supposed ability of its 5.7 ammunition to penetrate bulletproof vests worn by police."

However, LaRosa commented for The Future of Freedom Foundation, "it is difficult to understand all the fuss. The gun itself is approximately eight inches long, hardly an easily concealable size. The caliber of the ammunition is barely bigger than a .22-caliber bullet, which until recently, was the smallest diameter for a bullet. The length of the cartridge is just over an inch (28 mm), again small by modern standards."

He wrote that, "although the FN 5.7 pistol can fire armor-piercing ammunition – the type that will penetrate a modern bulletproof vest – so can any other pistol on the market, many firing much larger and more powerful projectiles."

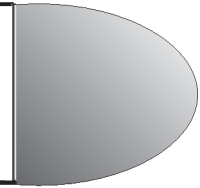
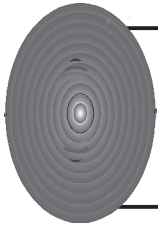
With regard to bulletproof vests, he wrote that, "in reality, there is no such thing. 'Bullet-resistant' is a more accurate term for body armor. The degree of resistance depends on the materials used, how they are layered, the caliber and make of the bullet, the powder load of the cartridge (which affects its speed), and other factors, such as weather.

"That said, why can't civilians have access to armor-penetrating bullets? Don't criminals, who are more apt to attack civilians than armed and trained police, sometimes wear body armor when committing crimes... Gun control measures cost more innocent lives than they save. This one is no exception. Instead of banning the FN 5.7 or any other gun, legislators should remove barriers to the

civilian use of the latest technology in weaponry. The life they save may be yours."

Ben, an historian and writer, was born August 11, 1945 in Benevento, Italy, but grew up in Boston, Massachusetts. He earned undergraduate and graduate degrees in history from the U.S. Air Force Academy and Duke University respectively. During the Vietnam War, he served as an Air Force Pilot, logistics officer and historian, and later worked as a civilian historian for the Department of the Air Force. In the mid-1970s, he worked for the Massachusetts Department of Community Affairs. He co-founded the Holistic Health Institute of San Antonio in 1979 and served on the Nutrition Task Force of the Camino Real Health Systems Agency. During 1990-1991, he served as Secretary of the Bexar County (TX) Libertarian Party.

Ben has written and lectured extensively on gun control, the Constitution, the monetary system, federalism, free enterprise and similar topics. He is the author of *Gun Control: A Historical Perspective*, published by the Candlestick Publishing Company in 1992, and *Democracy or Republic, Which Is It?* self-published in 1999. He also wrote chapter eight of *The Tyranny of Gun Control*, a book published by The Future of Freedom Foundation in 1997. His articles have appeared in the *San Antonio Light*, *San Antonio Express News*, *San Antonio Current*, *Guns Magazine*, *Freedom Daily*, *MiamiHerald.com*, *Journal Press (VA)*, and many other publications.



“If you call for a pizza, a cop, and an ambulance, who will arrive first?” That’s a tough question from Tim Schmidt of the U.S. Concealed Carry Association (USCCA). “A responsible, trained and armed citizen is not someone to be feared,” he responds. “People who carry a concealed firearm believe that if their life is threatened there is no one else they can count on to protect them. A responsible, trained and armed citizen is an asset to society. This is an unpredictable world we live in. At any moment any one of us could be the victim of some criminal. Our right to self-defense is critical because criminals will not stop and wait while you call the police. Every time a violent crime is reported in the news, sales of firearms go up. People do not feel safe, and they know that the job of the police is to clean up after the fact. If you are not prepared to defend yourself, then unfortunately you will become a victim.”

Mark your calendar now! The 2005 national Gun Rights Policy Conference, the 20th in the series cosponsored by CCRKBA and the Second Amendment Foundation, is slated for September 23, 24 and 25 at the Los Angeles, California Marriott (LAX Airport). The theme for this year’s conference is “Expand Gun Ownership.” It’s a must for hundreds of gun rights activists from around the country. Call the LAX Marriott at 1-800-228-9290 for the special \$94 room rate, and be sure to mention GRPC 2005. For further information on the conference itself, call (425) 454-7012 or fax (425) 451-3959. You could email your registration, which

is free of charge, to GRPC2005@saf.org.

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 “Despite dire predictions that the streets would be awash in military-style guns,” wrote Deborah Sontag recently in The New York Times, “the expiration of the decade-long assault weapons ban last September has not set off a sustained surge in the weapons’ sales, gun makers and sellers say. It also has not caused any noticeable increase in gun crime in the past seven months, according to several metropolitan police departments. The uneventful expiration of the assault weapons ban did not surprise gun owners, nor did it surprise some advocates of gun control.”

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 When The Washington Post claimed that the solving of a single murder was facilitated by the existence of Maryland’s ballistic database and that that warranted maintaining it, Robert A. Levy of Naples, Florida, a Senior Fellow in Constitutional Studies at the Cato Institute and holder of a CCRKBA Gun Rights Defender of the Month Award, called the solving “a modest threshold.” He wrote in the newspaper that it would be wise to “continue ‘ballistics imaging’ to link multiple shootings or tie a recovered gun to a particular crime. But that’s quite different from a database on all guns, or even all new guns. Among the obvious problems: A database is not reliable because ballistics markings change over time; markings can easily be altered; an effective database that covers resales, thefts and exist-

ing guns – in short, the guns used by criminals – would be too costly; and a database is equivalent to a registry, a slippery slope toward prohibition, which is the acknowledged goal of many gun prohibitionists.

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 After Nebraska State Senator Ernie Chambers proposed that violators of a concealed carry measure up for consideration have their trigger fingers shot off, CCRKBA condemned the lawmaker for injecting a serious debate with what amounts to “the ravings of someone who has overdosed on self-aggrandizement.”

CCRKBA Chairman Alan M. Gottlieb said that, “it appears Ernie’s chambers are empty. If this was intended as a joke, the Senator needs a different hobby because he’s no comedian.” CCRKBA Executive Director Joe Waldron commented that, “childish behavior should be reserved for children,” noted that Chambers “has been around the Legislature a long, long, very long time,” and suggested he has wasted his constituents’ time with this “sophomoric amendment.”



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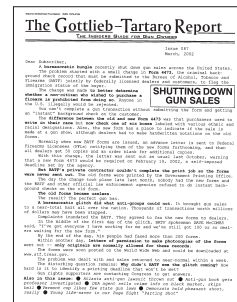
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