
Allegheny County Sportsmen's League Legislative Committee Report

April 2002 ▼ Issue 90

ALLEGHENY COUNTY SPORTSMEN LEAGUE ON THE INTERNET <http://www.acslpa.org>

Email Address: acsl@nauticom.net

ACSL Lawsuit Against the PSP Registry of Firearm Ownership.

The ACSL has been notified by the Pennsylvania Supreme Court that our brief for our appeal is due April 23, 2002, and that our case will be heard in Pittsburgh.

The Pennsylvania Supreme Court has disagreed with the Pennsylvania State Police in their argument that we did not have jurisdiction in this case and has agreed to hear our appeal. This is a defeat for the PSP. Since the Supreme Court meets two times a year in Pittsburgh, it appears that the case will be heard sometime in September.

Last week the Legislative Committee put together a petition to the NRA Firearms Civil Right Legal Defense Fund to request NRA financial support for our appeal to the Supreme Court. The NRA annual meeting will be held this month in Reno, Nevada, but it is unknown if the Firearms Civil Rights Legal Defense Fund will meet.

Firearm Background Check Advisory Committee.

Rep. Ed Staback, a member of the Firearms Background Check Advisory Committee has sent a letter to Brian Grove, Chairman of the committee, requesting that the ACSL be invited to testify on the Preliminary Report on the administration of the Pennsylvania Instant check.

At a political function for Sen. Jane Orie, we spoke briefly with Sen. Bob Robbins, a member of the committee, and he told us that it is his desire that the ACSL be invited to attend and testify.

We were told that another meeting would be held in April, but we that meeting has yet to be scheduled.

Democratic Candidates for Governor to Hold Meetings With the ACSL and FOAC

FOAC met with Patrick Casey, Political director for the Casey for Governor campaign in Harrisburg. Patrick assured FOAC that his brother is on our side on this issue, and will not entertain any additional gun laws in his administration. We had a good and friendly discussions and the campaign promised to answer the FOAC questionnaire. A recent phone call from the Casey campaign indicated that the questionnaire would be sent shortly.

On Friday March 29 FOAC met with Ed Rendell for breakfast in Pittsburgh. We had a good discussion but Rendell insisted that his position on one-gun-a-month was reasonable and workable to control trafficking in firearms by and to criminals. We provide evidence from studies on states (Maryland, Virginia and South Carolina) that have enacted one-gun-a-month statutes showing that criminal activity did not go down when these laws were put in place. He agreed to look at our information but gave no indication that he would change his position. At the conclusion of the meeting he agreed to answer our questionnaire but as of this date we have not received it.

After the Rendell meeting we met with David Rice Western Pennsylvania Political Director for the Fisher for Governor Campaign. We had a frank discussion on the issues. We asked that the campaign consider answering our questionnaire. Just this week the Fisher for Governor Campaign has informed us that Mike Fisher **will not** answer our questionnaire.

For up to date information on CAMPAIGN 2002 visit the FOAC web site at : www.foac-pac.org

More on the race for Governor in the next legislative report.

House Bill 2386 Introduced by Rep. Daryl Metcalfe

This bill is the product of months of work by the legislative committee and several legislators to draft changes to the law so as to accelerate the interstate agreements for Concealed Carry license recognition.

To date the Attorney General has only been successful in obtaining 2 reciprocal agreements - Kentucky and Florida. If you compare this to states like Kentucky, which has 18 agreements, Florida that has 18 agreements, and Alabama that has 10 agreements, Pennsylvania is lagging far behind.

We have written a letter to NRA state liaison John Hohenwarter encouraging him to get involved in working for the passage of HB 2386. John has agreed to place NRA behind the bill and has visited both Daryl Metcalf and Sen. Bob Robbins.

After meeting with Metcalf Hohenwarter informed the ACSL that he was attempting to get Bob Robbins to introduce the bill in the Senate and possibly tack on language to give relief from disability to those firearm owners who have been victims of ACT 17's prohibition on minor charges inflicted 20 or 30 years ago that prohibiting them from purchasing a firearm.

The possibility of this legislation passing before the General election is no known, but ACSL will push for passage. It is possible that Senate Republican will not want to entertain this legislation before then.

Game Commission Clarifies Dissolving Habitat Improvement Advisory Committee

In an unsolicited letter Gregory Grabowicz, Director of the Bureau of Land Management of the Pennsylvania Game Commission sent a letter to the ACSL regarding our questions raised concerning the disbanding of the Habitat

Advisory Committee. Mr. Grabowicz's letter generated more questions than it answered, so we responded.

In his letter Mr. Gabowicz explained that the committee was dissolved in the interest of facilitating the completion of a revised Strategic Plan. He went on to explain that the "development of the plan envisions the use of teams of stakeholders, rather than standing committees, to address a particular goal of the strategic plan. Two of those deal directly with maintaining and improving wildlife populations, and acquiring, protecting and enhancing wildlife habitats on public and private lands. These two goals relate directly to the activities of the Habitat Advisory Committee."

He explained that "Stakeholder teams will meet with commission staff to develop strategies that the agency can employ to reach the stated goals. Habitat Advisory Committee members have been contacted to participate in the effort". Members of the stakeholder teams will include "representatives of organized sportsmen groups along with organizations such as the Farm bureau representing private landowners and organizations who are interested in non-game wildlife will also be given an opportunity to participate."

He concluded his letter by explaining that "Looking specifically at the Habitat Advisory Committee, six of the members of that committee have been asked to participate on one or more of the teams."

In our letter of April 1, 2000 we asked Mr. Grabowicz to list for us who are these Stakeholders.

We questioned Mr. Grabowicz on which six members of the previous Habitat Improvement Advisory Committee have been invited to be members of this new committee.

We also asked the Game Commission to list what "other" organizations have been invited to serve on the committee, and questions why the ACSL has not been invited to become a member.

As of this date we have not received a response to our letter.

NRA-ILA FAX Alert

Vol. 9, No. 11

3/15/02

MAKE PLANS TO ATTEND NRA-ILA GRASSROOTS WORKSHOP IN RENO

It seems like just yesterday, your NRA was at the forefront of its most critical election battle ever. The 2000 elections resulted in the victory we fought so hard together to achieve, but there is no rest for the weary. We must begin NOW to lay the groundwork to ensure our success in the 2002 elections.

The anti-gunners are already re-doubling their efforts to ensure the defeat of pro-Second Amendment candidates in critical elections across the country on Election Day 2002—**November 5**. With elections for all 435 U.S. Representatives, 34 U.S. Senators, 36 Governors, and thousands of state and local officials on the ballot this year, we have our work cut out for us. *We must stand ready to meet the "gun control" crowd head-on at every turn!*

This is why the **NRA-ILA Grassroots Division** will host a special **FREE** Workshop in conjunction with **NRA's Annual Meetings in Reno**. At the Workshop, you will hear from NRA leaders, staff, and your fellow NRA members on what you can do in your own community to ensure that Election Day 2002 is a resounding success for the Second Amendment and gun owners across our great nation. We will also discuss how you can work with your local **Election Volunteer Coordinator (EVC)** to ensure pro-gun campaigns have a steady stream of committed, pro-freedom volunteers to help with their activities leading up to Election Day. Workshop details are:

NRA-ILA Grassroots Workshop—FREE!
Friday, April 26, 9:00 a.m. - 12:00 Noon
(complimentary continental breakfast from 8:00 a.m. - 9:00 a.m.)
Crystal Rooms 3, 4, & 5 (Main Level)
Reno Hilton
2500 East Second Street
Reno, Nevada 89595

To reserve your spot, please call the Grassroots Division at (800) 392-8683, or to do so on-line, [click here](#).

NSA ENDORSES EDDIE EAGLE®

The **National Sheriffs' Association (NSA)** formally endorsed the [National Rifle Association's Eddie Eagle GunSafe® Program](#) at its annual midwinter conference, held March 2 in Washington, D.C. **Sheriff John Cary Bittick, President of the NSA**, said, "We are proud to partner with the National Rifle Association on this very important issue, and we would like to express our full support for this program. The safety of our nation's children is of paramount concern, and I can think of no better way to provide them with knowledge about firearm safety than through the Eddie Eagle GunSafe® Program. This program, which has proven to be most effective, simply teaches children not to touch firearms and

to tell adults immediately if they should come into contact with a firearm of any kind."

Commenting on the endorsement, **NRA Executive Vice President Wayne LaPierre** said, "We greatly appreciate the National Sheriffs' Association's recognition and support of this program. Local law enforcement officers have helped deliver Eddie Eagle® to 15 million children, and it is gratifying to receive a formal endorsement from people who work daily with community safety issues. An endorsement from the National Sheriffs' Association is a great milestone for the program, and it will ultimately help save lives."

TYRANNY IN WISCONSIN

On Tuesday, **March 12**, the two Democrats who rule the **Wisconsin State Senate** with iron fists abused and ignored their own Senate rules in order to single-handedly block a **Right to Carry** bill from receiving a full and fair vote by the citizens' elected officials on the Senate floor. In most places, this would be called tyranny. The local press called it "arbitrary enforcement of the rules."

After the **Personal Protection Act, AB 675**, had passed the **Assembly Criminal Justice Committee** on a vote of 10-4, the full Assembly on a vote of 58-40, and then the Senate Judiciary Committee on a vote of 4-1, anti-gun **Senate President Fred Risser (D-26)** and **Senate Majority Leader Chuck Chvala (D-16)** were running scared. They were convinced the Right to Carry bill had the necessary support to make it to the Governor's desk. Risser and Chvala claimed motions by pro-gun Senators for a full and fair vote were out of order because they violated "rules of Senate decorum." These rules, however, pertain to wearing proper attire and not smoking or reading newspapers while in the Senate chamber. Of course, none of those rules were violated. But Risser and Chvala played judge, jury and executioner, leaving no recourse available to proponents of Right to Carry.

Senate President Risser claimed throughout the proceedings that he did not hear the "objections" that were literally yelled by a number of Senators on many occasions. Majority Leader Chvala refused to answer questions asked of him by his fellow Senators. In the end, the Senate President and Majority Leader silenced the voices of the hundreds of citizens who showed their support for Right to Carry by attending the three committee meetings on this legislation that were held this year. Because of the actions of these two anti-gun senators, Wisconsin's law-abiding gun owners will go without the freedom to choose their means of self-protection for another year.

If you would like to hear for yourself what happened on the Senate floor on Tuesday night, you can call (608) 261-0533 for a six-minute summary recording. You can also access the recording through the [home page of Senator Dave Zien](#) (R-23), the Senate sponsor of the bill. To receive Right to Carry updates from Senator Zien, use the "contact me" tool to send his office your contact information.

Vol. 9, No. 12

3/22/02

SARAH'S SHOCKING DISCLOSURE

Sarah Brady, Chair of the gun-ban lobby formerly known as **HCI**, apparently broke no law when, as revealed in her soon-to-be released book, she bought a hunting rifle at a Delaware gun shop for her son, who was then 18. The *Daily News* (N.Y.), which ran a March 22 story saying Brady may have skirted Delaware law, has issued a retraction after the **Delaware Department of Justice** told the paper that the Department had misinterpreted the law in talking to its reporter.

This flap highlights one interesting point. The fact is that there are already so many laws in America that regulate firearms that even the nation's foremost advocate of passing more laws and the people charged with enforcing those on the books may not be able to keep track of them.

Some, no doubt, will be shocked to learn of the firearm purchase by someone like Sarah Brady. **NRA-ILA Executive Director James Jay Baker Baker** observed, "It's obviously interesting that Sarah would be purchasing firearms of any kind for anybody, given her championing of restrictive guns laws for everyone." Considering that she and her organization regularly claim that "the safest thing [to do] is not to keep a gun in the home," one wonders whether her son follows his mother's advice? Or maybe he simply follows long-established firearm safety and storage practices that keep responsible gun owners and their families perfectly safe when they keep firearms in their homes. And there are also the Brady warnings about "children" and firearms. These gun-ban lobbyists regularly include individuals as old as 19 (and sometimes older) in their statistics for "children."

SENATE PASSES CAMPAIGN FINANCE "REFORM"

On Wednesday, the U.S. Senate joined the House in assaulting free speech when it passed **H.R. 2356**—the **Shays-Meehan Campaign Finance "Reform" bill**—on a vote of 60-40. Congressional opponents to this attack on the First Amendment have vowed to challenge it in the courts, and **U.S. Senator Mitch McConnell** (R-Ky.), one of the most vocal opponents of this bill, has already assembled a team of attorneys, including former independent counsel **Kenneth Starr**, to mount a legal challenge. NRA also remains committed to protecting its ability to exercise free speech and ensuring the privacy of its members, and your Association will fight this assault on the First Amendment all the way to the **Supreme Court of the United States**, if necessary.

HOUSE RESOURCE COMMITTEE PROBES CONTAMINATED LYNX STUDY

On March 6, the **House Resources Committee, Chaired by U.S. Representative James Hansen** (R-Utah), heard testimony on the scandal surrounding the **National Lynx Study**—a study tainted by officials from the **U.S. Fish and Wildlife Service**, the **U.S. Forest Service**, and **Washington State's Department of Fish & Wildlife** when they were reported to have planted evidence. The study—which could impact 15 states and 57 national parks—seeks to determine whether there are populations of Canada Lynx living in the United States and whether they should be protected under the **Endangered Species Act**.

The controversy centers around three hair samples clipped from a captured lynx that were planted in three separate areas of the study area within **Washington State**. Two of the areas had never been known to have a lynx population. These samples were then submitted to the lab at the **University of Montana** as study data for DNA testing. When questioned as to why they planted these illegitimate samples, the biologists involved claimed that they did not trust the lab, and that they were simply "testing" the facility. The University's lab director indicated that there was no justification for the biologists to "test" his lab or his methodology. But while federal studies often have protocols that allow for blind testing of labs, the researchers did not follow what the National Lynx Study had proscribed for testing lab methodology. Furthermore, while the researchers claimed they intended to tell the lab of the false samples, the lab was never notified, and the study did not provide a vehicle or opportunity for such notification. Once the false samples were delivered to the lab and confirmed to be lynx hairs, those samples would become a part of the survey. We may never know the true motivation of the researchers, or their true intentions, but we do know their questionable actions were not brought to light until one scientist involved reported this information to a superior the day before his retirement.

U.S. Representative Scott McInnis (R-Colo.) was the standard-bearer for scientific integrity during the hearings, but several lawmakers weighed in to try to determine what may have led researchers to act so outrageously. **U.S. Representative Greg Waldon** (R-Ore.) likened the actions of the biologists to that of a U.S. Congressman who, after being caught accepting bribes from undercover FBI agents during the **ABSCAM** investigation begun in the late 70s, claimed he was conducting his own private "study." Rep. McInnis was just as harsh, comparing what the researchers did to a corrupt police officer who plants evidence in order to secure a conviction.

While the study will continue, and has been adjusted to account for the fraudulent samples, the reckless and possibly criminal actions of these scientists could have jeopardized the public use of millions of acres of land in the northern United States. NRA applauds the actions of the Resource Committee thus far, and **NRA-ILA Executive Director James Jay Baker** sent a letter of thanks to Reps. Hansen and McInnis for leading this effort. Baker also expressed NRA's support for punishing those involved with creating this controversy, writing, "We...support you in your efforts to ensure that punishment of the researchers is

commensurate with their actions. Appropriate punishment of those involved will send a clear message that the federal government cannot and will not tolerate irresponsible behavior, especially when the public use of our nation's natural resources hangs in the balance." We will be sure to report any additional developments on this front, and we anticipate that there could be additional hearings still to come.

TRIGGER LOCK LAW RULED "NULL AND VOID"

In an opinion handed down on Wednesday, the **Florida Court of Appeal** for the **3rd District** found the trigger-lock ordinance of the **City of South Miami** "null and void" under Florida's preemption statute. The lawsuit against the ordinance was brought by the **NRA**, **Unified Sportsmen of Florida**, and individual plaintiffs. The ordinance—which was proposed by **Miami-Dade's** anti-gun **Mayor Alex Penelas** and supported by an opinion issued by Florida's anti-gun Attorney General Bob Butterworth—purported to require that every firearm, without exception, be stored with a trigger lock. No exception existed for firearms stored in a safe, antiques, or firearms kept accessible for self defense.

The trial court had originally dismissed the suit as "unripe" because no person had been prosecuted yet, but the Court of Appeal reversed that decision, not only deciding that the case was ripe for decision, but also ruling on the merits that the ordinance is invalid. The case was sent back to the trial court for further proceedings consistent with the opinion, meaning a formal judgment in favor of the plaintiffs (NRA and law-abiding gun owners) and against the City must be entered by the trial judge. **NRA Past President Marion P. Hammer**, commenting on the ruling, stated, "City and county officials are not above the law. There was really no other way [the court] could rule because the statutes are abundantly clear." Similar trigger-lock ordinances have been passed by other jurisdictions besides the City of South Miami, and the decision of the Court of Appeal in this case makes clear that these ordinances are also without legal authority.

ATTEND TOWN HALL MEETINGS

Congress is scheduled to go on break for its **Spring District Work Period** from **March 25** until **April 5**. Please contact your lawmakers' district offices and ask if or when they plan to hold town hall meetings during the Spring recess. If you do not know the number for your lawmakers' district offices, you can use our "Write Your Reps" tool, or call the NRA-ILA Grassroots Division at (800) 392-8683.

In addition to attending meetings and speaking out in support of our Right to Keep and Bear Arms, please forward the dates, times, and locations of any town hall meetings to your family members and friends who support the Second Amendment, and to the NRA-ILA Grassroots Division, so we may share this information with the pro-gun community. Please forward this information to the Grassroots Division by calling our toll-free

number, faxing to (703) 267-3918, or by sending an e-mail to townhall@nrahq.org. You can find listings of the town hall meetings we know about by [clicking here](#).

Vol 9, No. 13

3/29/02

NRA FILES SUIT AGAINST SHAM CAMPAIGN FINANCE "REFORM"

Hours after campaign finance "reform"—officially known as the "**Bipartisan Campaign Reform Act**" (BCRA)—was signed into law on Wednesday, NRA made good on its promise to launch a legal challenge to this attack on the First Amendment. **NRA Executive Vice President Wayne LaPierre** and **NRA-ILA Executive Director James Jay Baker** issued a joint statement announcing the filing of the NRA suit, stating, "When the federal courthouse opened for business today, NRA was there—we have filed suit to invalidate this unconstitutional infringement on the First Amendment rights of the NRA and our four million members nationwide."

The statement went on to say, "We are proud to be the first plaintiff to formally ask the federal court to invalidate these new limits on the political speech of ordinary citizens because we believe that this law cannot be allowed to stand—not even for a moment. **Sen. Paul Wellstone** (D-Minn.) said on the floor of the **United States Senate** during the campaign finance debate that it was his intention to silence the NRA. As a direct and intentional target of this law, NRA has no choice but to protect our right to be heard."

"Through this law," the statement continued, "Congress has essentially granted speech licenses to giant corporate conglomerates such as **Viacom**, **Disney Corporation** and **General Electric Company** by allowing those corporations *unlimited* rights to spend money talking about issues and candidates, while silencing the voices of ordinary citizens and citizens groups such as NRA. Why should corporations such as these media conglomerates, all of which own multiple non-news business enterprises and spend millions of dollars lobbying Congress—why should those corporations be allowed to spend whatever they wish, whenever they wish, saying whatever they wish regarding any issue or candidate—when a non-profit citizens organizations such as ours is prohibited from even *responding* via the broadcast media?"

[Click here for a complete copy of Wednesday's joint statement from LaPierre and Baker.](#)

Also of interest is one of the attorneys who has been selected to defend this legislative attack on the First Amendment. Former **U.S. Solicitor General Seth Waxman** will be an integral part of the legal team chosen by Congressional proponents of the BCRA to defend the new law. Waxman, you will recall, was the Solicitor General under **Bill Clinton** who wrote the now infamous letter

that confirmed the **Clinton-Gore Administration's** belief that law-abiding citizens have "no personal constitutional right, under the Second Amendment, to own or to use a gun." ([Click here to read Waxman's letter](#)) Perhaps his argument will now be that law-abiding citizens and the organizations that represent them have no personal constitutional right, under the First Amendment, to exercise political free speech!

The overturn of campaign finance "reform" provisions that restrict our rights will continue to remain a top priority for NRA, and we will report further developments on this front.

BOSTON ABANDONS RECKLESS LAWSUIT

Boston became the first city to voluntarily abandon its baseless, reckless lawsuit against the firearm industry on Wednesday. The *Dow Jones International News* reported on Thursday that **Mayor Thomas Menino** (D) claimed the cost of going to trial was too high, and the growing list of court rulings rejecting similar cases limited the "evidence" the city would be able to present. As expected, though, reckless lawsuit proponents, including Mayor Menino, have tried to spin the failure of Boston's nearly three-year harassment campaign against law-abiding gun makers as some sort of victory.

Menino claimed that the Boston suit forced gun makers "to take small steps to address our concerns." But **Lawrence G. Keane**, vice president and general counsel for the [National Shooting Sports Foundation, Inc.](#) (NSSF)—a defendant in the case—stated, "No concessions were made in exchange for the city's actions. We are extremely pleased with the suit's dismissal, but it is unfortunate and inappropriate that Boston Mayor Thomas Menino mischaracterizes industry safety efforts as being prompted by the city's suit. The truth is that industry has been actively promoting nationwide safety efforts for decades, a fact previously acknowledged by the mayor."

According to the *Dow Jones International News*, Menino even tried to claim that the decision by gun makers to include a free locking device with the sale of each new firearm aided the plaintiffs in their decision, even though most gun makers had already decided to do this in 1997, nearly two years before Boston filed its suit, if not before.

NRA-ILA Executive Director James Jay Baker said of the decision to drop the suit, "It's a lesson that other cities ought to take. Criminals are responsible for their own actions, not manufacturers of legal products." Baker also commented, "I don't think they ever should have brought it, and the fact they agreed to have it dismissed with prejudice, meaning they can't bring it up again, is a pretty clear indication that they had no case to start with."

Unfortunately, other cities don't seem to be learning anything from the repeated failures of the reckless lawsuit campaign. As Boston decided, on Wednesday, it could no longer afford to waste taxpayer money on a suit it simply could not win, on Thursday, Jersey City filed its own suit.

Another court case in Massachusetts had a more troubling outcome. On Monday, the **U.S. Court of Appeals** for the **1st Circuit** dismissed a challenge to "**Massachusetts' Gun Control Act of 1998**" as "unripe." The case centered around a provision of the '98 Act that requires anyone who possesses or wishes to possess a "large capacity weapon" or a "large capacity feeding device" to obtain a **Class A license**. The court held that the plaintiffs had not suffered hardship because they could apply for a license to possess the regulated items, so the case was not ripe for review. The decision leaves open and unresolved serious questions regarding how Massachusetts defines "large capacity weapons" and "large capacity feeding devices." This means that any otherwise law-abiding citizen, who is unable to determine if his firearm or feeding device is subject to the licensing requirement, could face criminal prosecution if he fails to acquire the license. The penalty for an honest mistake in this case is imprisonment for not less than 2 ½ years nor more than 10 years. The bottom line is, given the court's unwillingness to decide in this civil case whether the terms at issue are unconstitutionally vague, such determinations will be made through criminal prosecutions. The court also ludicrously upheld a ban on licensed gun clubs shooting at human-shaped silhouette targets, claiming that this prohibition aided the state in "preventing gun fatalities."

BRADY FIREARM BROUHAHA— PART II

Sarah Brady, Chair of the gun-ban lobby formerly known as **HCI**, apparently broke no law when, as revealed in her recently released book, she bought a hunting rifle at a Delaware gun shop for her son, who was then 18. The *Daily News* (N.Y.), which ran a **March 22** story saying Brady may have skirted Delaware law, has issued a retraction after the **Delaware Department of Justice** told the paper that the Department had misinterpreted the law in talking to its reporter.

This flap highlights one interesting point, however. The fact is that there are already so many laws in America that regulate firearms, that even the nation's foremost advocate of passing more laws and the people charged with enforcing those on the books may not be able to keep track of them.

But this story remains at least moderately controversial, as there is some dispute over the accuracy of Brady's published account of her purchase. According to an exclusive [NRALIVE.com](#) interview with the gun store owner who completed the transaction, Brady may have injected a bit of fiction into her autobiographical story about her efforts to ban firearms in America.

While the store owner wishes to remain anonymous, he did tell [NRALIVE.com](#) that the claim in Sarah Brady's book that her purchase was "approved immediately" and "[t]he system was working" is not true. According to the gun dealer, the day Brady came into his shop to purchase a high-powered rifle, the **National Instant Check System** (NICS) was down, causing a tremendous backlog of customers. Of course, it would not benefit Brady's anti-gun agenda to report her own experience with problems

caused by NICS, as that would simply bolster NRA's contention that the system is flawed and needs to be overhauled.

This is not the only issue that leads to diverging accounts of Brady's experience, though. In her book, Brady claims that the dealer tried to draw attention to her presence in the shop, claiming "he spoke unnecessarily loudly, repeating my name over and over on the phone." But the store owner claims that he didn't do anything to draw attention to the identity of his ironic customer, and because of the problems and delays involving NICS, Brady wasn't even present when her background check was able to be run.

Of course, the idea that Sarah Brady may not be 100% truthful in her book should come as no real surprise. Both she and her organization are well-known for putting out extremely misleading and grossly inaccurate information in order to further their not-too-well-hidden gun-ban agenda

Vol. 9, No. 14

4/5/02

CONGRESS ASKS RUMSFELD TO PREVENT DEMIL CONTROVERSY

Two letters—one carrying the signatures of 16 U.S. Senators, the other bearing the signatures of 24 U.S. Representatives—have been sent to **Department of Defense (DoD) Secretary Donald Rumsfeld**, asking the Secretary to ensure that budget language similar to **Section 1062** of last year's "**National Defense Authorization Act for FY 2002**" is not submitted this year. Section 1062 would have given the Secretary of Defense the authority to require "demilitarization" of any "significant military equipment" that has ever been owned by the DoD, which would include all firearms (such as the venerable **M1, M1 Carbine**, and **Model 1911**, as well as all **Civilian Marksmanship Program** rifles, even "sporterized" surplus bolt-action **Springfields!**), firearm barrels, ammunition, and gun powder. "Demilitarization" is the term for rendering such items permanently inoperable, and Sec. 1062 would have provided for this action to be carried out either by the owner or a third party with the owner paying the cost, or by the DoD.

Both letters echoed the warning that granting the Secretary of Defense such a broad new authority raised serious concerns over a number of property rights issues, including fair compensation and due process in seizing private property, and cautioned that it could "readily have become grounds for bureaucratic over-reach." The letters also emphasized the fact that the pro-gun community reacted to Sec. 1062 with an overwhelming grassroots uprising, and both declared, "As a result, many of us heard more from our constituents on this issue than on any other under discussion" during last year's debate over spending for the DoD. The letters were signed by both Republicans and Democrats, and requested from Rumsfeld "assurances that this provision will not resurface this year in the Administration's proposals for the Department of Defense."

We will be sure to post any developments on this front, and if you would like to know which lawmakers signed these letters, please call the Grassroots Division at (800) 392-8683. While we appreciate the efforts of all who took part in this effort, our special thanks go out to **U.S. Senator Bob Smith** (R-N.H.), who took the lead in the Senate, and **U.S. Representative Gary Miller** (R-Calif.), who took the lead in the House.

GROWING RIFT IN ANTI-GUN COMMUNITY?

A group of anti-gun lawmakers and gun-ban advocates held a sparsely-attended press conference on March 20 to promote another attack on gun shows, but this effort also included a curious attack on the "**Project Exile**" prosecution model. The event drew far more anti-gun extremists than actual members of the media, and served as the launching pad for **U.S.**

Representative John Conyers' (D-Mich.) **H.R. 4034**—touted as the House version of [U.S. Senator Jack Reed's \(D-R.I.\) S. 767](#). But was this event merely an attempt by Conyers and his supporters to grab publicity, or does it expose a growing conflict among anti-gunners?

Flanked by fellow **Representatives Danny Davis** (D-Ill.) and **Dianne DeGette** (D-Colo.), Conyers adopted the anti-gun movement's universally-accepted shameless strategy of exploiting the war on terrorism to promote attacks on the Second Amendment. Conyers and his cohorts, however, went a step further to promote his legislation. Using a "study" put together by an obscure anti-gun organization called the **Pacific Center for Violence Prevention** (PCVP), Conyers derided the highly acclaimed "Project Exile" prosecution model—a program that has been widely hailed as helping to lower violent gun crime. This would appear to be an attempt to show how his bill is "superior" to the [McCain/Schumer/Lieberman bill \(S. 890\)](#), which includes cursory support for "Project Exile."

But there may be more to this latest assault on gun shows than simply just another example of anti-gun lawmakers working to eviscerate the Second Amendment. Does the addition of the attack on "Project Exile" in the anti-gun strategy serve to expose an ever-widening rift within the anti-gun movement?

This rift seems to have started with the launch of the new anti-gun organization that calls itself "[Americans for Gun Safety](#)" (AGS), and has widened with the attacks on gun shows. So it is not surprising an anti-gun shows bill would help to better expose the conflict.

On one side of the rift are the more radical extremist groups promoting the Reed bill, which includes the **Violence Policy Center** (VPC)—an organization that openly advocates banning all handguns—and the **Consumer Federation of America** (CFA)—which has worked hand-in-hand with VPC on numerous occasions and advocates that every home in America with children be "gun-free." VPC representatives attended the Conyers press conference but did not release a statement, while CFA's

Susan Peschin put out a release that seemed to indicate her group is entirely ignorant of federal gun control laws. Her statement included the comment, "Representative Conyer's [sic] bill merely extends federal law from gun stores to gun shows"—a blatant lie, as the same federal laws that apply at gun stores already apply at gun shows nationwide. While the CFA release did not echo the anti-"Project Exile" sentiment of Conyers and the PCVP, it does express support for Conyers/Reed attack over the competing **McCain-Schumer-Lieberman/Castle-McCarthy (H.R. 2377)** anti-gun show bills, which both include language supporting "Project Exile" as a sop to pro-gun Congressmen.

But perhaps far more indicative of this growing rift within the anti-gun community was the distribution at Conyers' press conference of a recent *American Prospect* article attacking AGS. The article (a link to it can be found on the VPC website) explains how Internet billionaire **Andrew McKelvey** began funneling millions of dollars into the gun-ban lobby formerly known as **HCI**—McKelvey briefly held the position of HCI Board Member—then, to the apparent chagrin of the already established national anti-gun organizations, started his own anti-gun group, AGS.

Many anti-gun groups at the state level were initially enticed to align with AGS by the allure of McKelvey's millions, but are now trying to distance themselves from AGS due to its attempt to misrepresent itself as an organization that supports the right to own guns. Most of those state groups are quite open with their extremist anti-gun views, even openly supporting banning firearms. So as AGS began to try to separate itself from the image of being just another anti-gun group, the state groups started dropping away. But AGS has not been able to hide from the fact that one of the goals it has stated as its "top national priority" is the establishment of a Draconian licensing and registration scheme for all gun owners.

So where does this leave the anti-gun movement? Still dangerous, of course, and with plenty of supporters in Congress and the so-called mainstream media. But it would appear that anti-gun organizations are now stalling their own agenda by openly fighting over the specifics of their anti-gun agenda. The most radical extremist groups, such as VPC, are trying to vilify AGS because it is not anti-gun enough. Meanwhile, AGS is trying to fool the general public into believing it "supports the rights of individuals who own firearms." And where does this leave the gun-ban group many people still refer to as HCI? Conflicted, no doubt, as it publicly supports many of the most extreme anti-gun views held by groups like VPC, but also tries to deceive the general public into believing that it does not have all law-abiding gun owners in its sights. HCI has yet to publicly weigh in on Conyers' anti-gun show/"Project Exile" condemnation press conference, and the group has vacillated on the two Senate bills that seek to end traditional American gun shows. Initially, HCI supported both, then changed its position to preferring the Reed bill, but not opposing the Lieberman-McCain bill. Considering HCI began claiming it supports "Project Exile," but only after NRA helped make it a nationally popular crime-fighting tool, it

will be interesting to see how the organization responds to the March 20 event. Will it abandon its "support" of a proven crime-fighting tool, abandon several staunch allies by condemning their attack on "Project Exile," or simply remain silent, hoping not to get drawn into the growing battle within the ranks of the anti-gun community?

COURT RULES GUN MAKERS NOT RESPONSIBLE FOR ACTS OF CRIMINALS

Yet another court has rejected the notion that law-abiding gun makers should be held responsible when criminals misuse their products. On March 25, **U.S. District Judge Audrey Collins** threw out a lawsuit that sought to hold certain gun makers responsible for **Buford O. Furrow's** August 1999 attack on the **North Valley Jewish Community Center** in California, where three boys, a teenage girl, and a woman were injured. The suit also sought damages for the murder of **Joseph Iletto**, a postal worker Furrow killed after his attack on the community center. Judge Collins' 37-page opinion held that the plaintiffs did not show a link between Furrows' actions and the marketing strategies of the gun makers being sued.