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# Allegheny County Sportsmen's League Legislative Committee Report

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June 2002 ▼ Issue 92

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

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## ACSL Lawsuit against the PSP Registry of Firearm Ownership.

### NRA Joins Law Suit

On May , 2002 the ACSL receive a letter from Mr. Robert Dowlett, NRA General Counsel announcing that the NRA Firearms Civil Rights Legal Defense Fund has agreed to pay the legal fees on our law suit from this point forward up to \$8000.00.

This is great news, and hopefully will provide all of the funds needed to bring this matter to conclusion. I spoke with Mr. Dowlett and he instructed us to contact our Attorney and have him provide the NRA with the necessary paperwork, and from this point forward, until the \$8000 dollar figure is reached, bill the NRA for any additional legal work.

### City of Pittsburgh to Provide Lockers for Guns

After threatening city employees with the confiscation of private own firearms if they attempt to enter the City County Building, the city has now agreed to provide lockers for persons who choose to carry a firearm concealed.

In a letter to ACSL Legislative Committee Vice Chairman Mr. Kim Stofler, Chester J. Malesky, Facilities Manager of the City of Pittsburgh wrote; "...please be assured that the City will be in full compliance with the law, as a weapons check facility will be installed as soon as possible."

According to Mr. Malesky, until the facility is designed for the storage of firearms, in the interim period

they may "possibly allow individuals to place their weapons in envelopes that will be held by the guards until the individuals have completed their business."

According to 18 Pa. C. S. 913(e) *Facilities for checking firearms.—Each county shall make available by July 1, 1996, lockers or similar facilities at no charge or cost for the temporary checking of firearms by persons carrying firearms under section 6106(b) or 6109. Notice of the location of the facility shall be posted as required under subsection (d). (Chgd. by L.1995, Act 66(2), eff 11/22/95.)*

The City Argues that it is the responsibility for the County, and they emphasize the work "County" is to provide a facility for checking firearms or other dangerous weapons by July 1, 2002. However, they consent that the city will provide the lockers.

The City misread the law in total. Section (2) only provides for prohibition of a firearms if the person carrying such a firearms "*knowingly possesses a firearm or other dangerous weapon in a court facility with the intent that the firearm or other dangerous weapon be used in the commission of a crime or knowingly causes a firearm or other dangerous weapon to be present in a court facility with the intent that the firearm or other dangerous weapon be used in the commission of a crime.*"

A "Court facility" is defined as, "*The courtroom of a court of record; a courtroom of a community court; the courtroom of a district justice; a courtroom of the Philadelphia Municipal Court; a courtroom of the Pittsburgh Magistrates Court; a courtroom of the Traffic Court of Philadelphia; judge's chambers; witness rooms; jury deliberation rooms; attorney conference rooms; prisoner holding cells; offices of court clerks, the district attorney, the sheriff and probation and parole officers; and any adjoining corridors.*" This definition only applies to the

8<sup>th</sup> floor of the City County Building in which the Appellate courts are located.

The city is correct in that state law provides that the county shall provide the locker. In prohibiting the possession of a firearm in the City County Building the City is violating section 6109 wherein they are prohibited from enacting any ordinance governing the possession, transportation of firearms.

We will give the City an A for effort in attempting to comply with the law. Hopefully, they will have the lockers in place by July 1, 2002. We will be following up.

## Allegheny County Sheriff to Speed up Issuance of Concealed Carry Licenses

Concerned that the Allegheny County Sheriff's department is not following state law in regards to the issuance of a license to carry. The ACSL's Legislative Committee Vice Chairman Mr. Kim Stoller contacted Sen. Jane Orié's office about the matter. Following an inquiry from Senator Orié, Allegheny County Sheriff Peter DeFazio has agreed to speed up the process for the issuance of a license to carry.

According to a letter to Sen. Orié, dated May 14, 2002, the sheriff had his "staff look into this matter". And, he told Sen. Orié that he has "*instructed my firearm's license division to determine if it is feasible to modify our practice and to do everything in a single step when the applicants come into our licensing office.*" He continues, "*I am happy to notify you that we are now able to issue the licenses to applicant when they appear at our office, unless the Pennsylvania Instant Check system is not operating. If that occurs we will mail the license to the applicant as soon as we are able to process it*".

We are pleased that the Sheriff has taken the time to review his procedure and have agreed to bring his firearms division in compliance with state law. The price of Liberty is eternal vigilance.

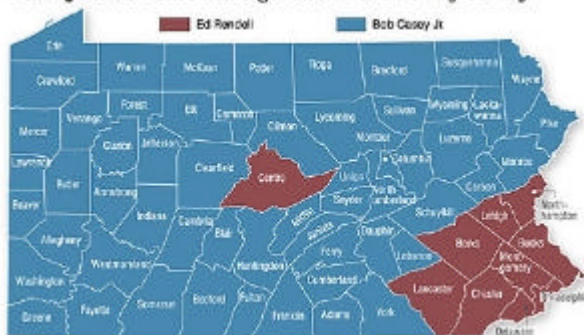
## Primary Elections Wrap-up

Firearms Owners Against Crime wishes to thank those sportsmen and gun owners for participating in this year's Primary elections. We especially want to thank those who took the time to get involved in a last minute effort on behalf of Bob Casey. It is unfortunate that the Casey Campaign waited until two weeks before May 21 to make Bob Casey

visible to gun owners and sportsmen and have him begin talking about our issues.

Even with this last minute effort by gun owners, as the map below shows, Bob Casey won 57 counties out of 67, but because he remained silent on the issues, not enough Democrats choose to vote in those counties on May 21.

Pennsylvania Democratic governor's election by county



## Why Was Rendell Successful?

Ed Rendell was successful because he was out front on the issue from the very beginning. He built a base of supporters and allowed them to work for him. The Brady Campaign and the Million Mom March endorsed Ed Rendell back in January of 2002, but the campaign kept silent on that endorsement. He also concentrated in those counties where his support was the strongest working to build up an even stronger vote margin in the Southeast to counter Casey's strength in the Southwest. He also worked the southwest to minimize the vote for Bob Casey. That is pure and simple letting the numbers work for you on Election Day. You can bet the same plan is in place for November.

With a stronger than expected voter turn out in the southeast and a weak voter turn out in the other 57 counties, Casey could not overcome the numbers. Also, the media was working in favor of Ed Rendell. The Philadelphia newspapers were all over this state reporting on Rendell's effort to capture the southwestern part of the state and encouraging support for Rendell in Philadelphia. They truly made it an East v. West Primary campaign. Thanks to so-called Campaign Finance Reform, the media will play an even stronger roll in determining whom the voters should elect in November.

## What Do the Numbers Show?

Ed Rendell won the Primary by winning 56.18% of the votes cast by those Democrats eligible to vote, with Bob Casey winning just 43.82%.

The total number of votes cast was 679,785 for Rendell, and 530,234 for Casey for a total of 1,708,156 votes. This represents about 32.31 % of the eligible Democratic voters.

Of the total registered democratic voters Rendell got 18.21 % and Casey 14.20 %. The democratic voters were not out in large numbers.

Mike Fisher on the other hand got 498,137 votes which represents about 15.41 % of the eligible Republican voters. Fisher did not give Republican voters a reason to go to the polls.

Of the total votes cast in the Primary, only 24.52% of the registered voters, both republicans and democrats, took time to vote in this primary. This represents only 18.25 % of the total number of Pennsylvanians eligible to vote. **Where have all the voters gone, and why?**

## Was This Vote A Referendum on Gun Control?

This was hardly a referendum on whether Pennsylvanian's want additional gun control laws. No one can claim that Ed Rendell winning only 18.25 % of the total number of Pennsylvanians eligible to vote was a clear victory for gun control. Also, because Mike Fisher was unopposed, only 15.41% of those republicans eligible to vote decided to go to the polls on Tuesday. In addition only the NRA is capable to knowing whether the majority of gun owners in Pennsylvania are Republicans or Democrats. If the majority of gun owners are Republicans, it may be a totally different ball game in November.

## What Do Gun Owners Need to Do To Win in November?

Firearms Owners Against Crime is gearing up for the November general elections, and we will be prepared.

But the candidates must also be willing to do their part in helping the voting public understand if there is a clear choice between themselves and their opponent(s) on these issues. Gun owners must begin questioning candidates and finding out where they stand on the important issues facing us in the Pennsylvania General Assembly. FOAC will provide all of the information on those issues to prepare you to get involved.

### MAJOR ISSUES THAT MUST BE ADDRESSED;

- [Reciprocity of license to carry](#)
- [Pennsylvania State Police Gun Registry](#)

- [Pennsylvania Game Commission - Deer Management Program](#)
- [Appointment of Game Commissioners](#)
- [Governor's Sportsmen's Advisory Council](#)
- [One Gun-A-Month](#)

In November we will have candidates from the other parties in Pennsylvania. Some will be strongly on our side, and other opposed to the freedoms we want our elected Representatives to protect.

We will need volunteers to pass out our voter's guide(s). We will need volunteers to help pro-gun candidates get their message to the voting public. This may involve walking door to door with the candidates, or making phone calls in a get-out-the-vote campaign. Holding candidate nights at your sportsmen clubs is an opportunity to meet the candidates.

We will be looking for volunteers to be at the polls on Election Day to pass out literature.

We will be looking for volunteers to help with FOAC mailings in critical races.

If this is going to be looked upon as a referendum on gun control, then we had better win this in November. We have the stronger numbers on our side, and we have right on our side, but we must believe that we have to will to win. However these freedoms we enjoy do not come free. Some have paid with their lives, and all we have to do is pay with our time.

## Allegheny County District Attorney Responds on Good for Guns Buy Back

### §6111. Sale or Transfer of Firearms.

- (a) Time and manner of delivery.—
- (g) Penalties.—
- (1) Any person, licensed dealer, licensed manufacturer or licensed importer who knowingly or intentionally sells, delivers or transfers a firearm in violation of this section commits a misdemeanor of the second degree.
- (c) **Duty of other persons** —Any person who is not a licensed importer, manufacturer or dealer and who desires to sell or transfer a firearm to another unlicensed person shall do so only upon the place of business of a licensed importer, manufacturer, dealer or county sheriff's office, the latter of whom shall follow

the procedure set forth in this section as if he were the seller of the firearm. The provisions of this section shall not apply to transfers between spouses or to transfers between a parent and child or to transfers between grandparent and grandchild.

### **§6113. Licensing of Dealers.**

(a) General rule.—The chief or head of any police force or police department of a city, and, elsewhere, the sheriff of the county, shall grant to reputable applicants licenses, in form prescribed by the Pennsylvania State Police, effective for three years from date of issue, permitting the licensee to sell firearms direct to the consumer, subject to the following conditions in addition to those specified in section 6111 (relating to sale or transfer of firearms), for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in this subchapter:

- (1) The business shall be carried on only upon the premises designated in the license or at the lawful gun show or meet.

### **§6106. Firearms Not To Be Carried Without a License.**

(a) Offense defined.—Any person who carries a firearm in any vehicle or any person who carries a firearm concealed on or about his person, except in his place of abode or fixed place of business, without a valid and lawfully issued license under this chapter commits a felony of the third degree.

The above are currently the only lawful means, by which any firearm may be carried, sold or transferred in Pennsylvania. If any member of the Allegheny County Sportsmen's League is caught transporting a firearm without a license that member, or attempt to transfer a firearm to any other person other than those exempted under 6111 you will be prosecuted to the fullest extent of the law. However, if you are a member of Goods for Guns Buy Back, or you are participating in a Goods for Guns Buy Back program, you will be able to not only carry a firearms without a license, but will be also be able to transfer that firearm between other members with out having to do so on the premise of a dealer, even though such activity is not provided for under the law.

The above is the only conclusion we can arrive at as a result of the response from Allegheny County District Attorney Stephen Zappala office to our complaint that Goods for Guns Buy Back is violating state and federal law in transferring firearms each year. Simply put, they are going to look the other way.

In January of 2002, the ACSL filed a complaint with the Allegheny County District Attorney citing the fact that during the Goods for Guns buyback program, conducted each year in Allegheny county, several state and federal laws were being violated and provided them with supporting evidence

and probable cause. After of number of follow-up letters, we finally received a reply to our initial complaint.

According to Claire Capristo, Chief of Staff for District Attorney Stephen Zappala, the DA has no authority over this program. Ms. Capristo wrote; "...the Office of the District Attorney of Allegheny County has a very limited role in general complaints surrounding such a program. If you could identify a particular criminal incident with supporting evidence that would supply probable cause for this office to charge anyone with a criminal offense, we would certainly do so." She suggested that we contact Goods for Guns to attempt to resolve the potential problems with their activities.

We telephoned Ms. Capristo to ask whether she has read our complaint and the evidence we included. She said that she did, but nevertheless it was not sufficient to warrant an investigation because we were not specific.

It is clear that the DA will not force Goods for Guns comply with state and federal law. As a result we have no other choice but to take this matter to a higher level and ask the Attorney General of an official opinion.

## **City of Pittsburgh to Further Regulate the location of Firearms Dealerships**

Absent of any authority under state law the city of Pittsburgh continues to attempt to regulate where firearm dealerships are allowed to establish a storefront business.

According to an article in the Pittsburgh Post Gazette city council will debated a bill on Wednesday that would prohibit the location of a firearms dealership in neighborhood shopping districts like Carson Street in the South Side or East Ohio Street in the North Side. Such an attempt to regulate a lawful activity is in violation of section 6120 of the Pennsylvania Uniform Firearms Act, which reads;

### **§6120. Limitation on Municipal Regulation of Firearms and Ammunition.**

- (a) General rule.—No county, municipality or township may in any manner regulate the lawful ownership, possession, transfer or transportation of firearms, ammunition or ammunition components when carried or transported for purposes not prohibited by the laws of this Commonwealth.

On one hand we have the District Attorneys office who will not enforce the law that regulates the transfer of firearms. Now we

have the City of Pittsburgh prohibiting the lawful establishment of a firearm dealership where they have no authority to do so. Beam me up Scotty.

## NRA-ILA FAX Alert

5/10/2002

### DOJ Reaffirms Constitution Protects Individual Right to Arms

U.S. Solicitor General Theodore B. Olson sent gun-ban extremists into a state of virtual "collective" apoplexy when he submitted the federal government's briefs in two cases that are up for consideration by the Supreme Court of the United States. Why? Because the filings state the federal government holds the accurate view that the Second Amendment protects an individual right. This position was also spelled out last year in a [letter from U.S. Attorney General John Ashcroft to then-NRA-ILA Executive Director James Jay Baker](#) (the Ashcroft letter was also included with Olson's filings), and represents a complete reversal of the Clinton-Gore Administration's fabrication that the Second Amendment protects a "collective" right of states to maintain militias.

Olson—whose position as Solicitor General requires him to defend federal laws when they are challenged in the courts—asked the Supreme Court to deny *certiorari* (decline to review) to two firearm-related cases—*U.S. v. Emerson* and *U.S. v. Haney*. And while the briefs in both cases clearly reaffirmed that the Second Amendment protects an individual right, Olson also argued that the laws under review are constitutional. This position is based on the government's view that the Second Amendment allows "reasonable restrictions designed to prevent possession [of firearms] by unfit persons or to restrict the possession of types of firearms that are particularly suited to criminal misuse." Olson also clearly stated the Department of Justice (DOJ) will continue to defend "all existing federal firearms laws," and explains the DOJ "has a solemn obligation both to enforce federal laws and to respect the constitutional rights guaranteed to Americans."

Anti-gun extremists have reacted to Olson's filings with the expected wailing. Michael Barnes, President of the gun-ban lobby formerly known as HCI, complained that an "extreme ideology on guns has now become government policy." He failed to explain how the Bush Administration's position is "extreme" when it mirrors the belief of the vast majority of the American people.

U.S. Senator Charles Schumer (D-N.Y.), who claims to support the individual right to bear arms, complained that

the DOJ acted "without any consultation, any notice, any discussion"—apparently implying he feels the DOJ should report to the U.S. Senate, rather than the White House—then stated he feared that anti-gun laws at the state level may suffer as a consequence. He railed, "[I]f New York City had Arizona's gun laws, Times Square would look like the OK Corral." Schumer seems to forget that Arizona, with firearm laws that are far less restrictive than those of New York City, has much less violent crime. Is the New York senator asserting that his constituents are not as responsible or law-abiding as the citizens of Arizona?

The radical Violence Policy Center (VPC)—a shrill outspoken advocate of banning all hand-guns—went a step farther. It convinced an attorney from a prestigious New York law firm to write to Olson, objecting to the DOJ mentioning anything about the Second Amendment protecting an individual right. The VPC was so eager to protest that the 15-page letter was sent before Olson's briefs were made public. And while Matt Nosanchuk, the VPC's Litigation Director and Legislative Counsel, claimed the organization was simply "anticipating" what Olson might do, it is important to note that Nosanchuk previously served in the DOJ under Bill Clinton and Al Gore, and was likely given advance warning via a leak from career DOJ employees who still support the anti-gun policies of the previous administration. It appears VPC in all likelihood improperly obtained advance copies of the briefs—still further proof this group is willing to illegitimately manipulate the resources of our government to advance its gun-ban agenda.

The anti-gun organization that calls itself ["Americans for Gun Safety"](#) (AGS) has been far less vocal about the recent actions of the DOJ, in large part because it was too busy launching a deceptive ad campaign aimed at abolishing traditional American gun shows. But perhaps the lack of an AGS position on the DOJ's most recent actions are also part of a carefully calculated strategy to continue to mislead the general public as to its true intentions. The group has tried to separate itself from other anti-gun organizations by claiming it supports the right to own firearms, so one would think it would leap at the opportunity to praise the DOJ's position. But *Newsday* reported AGS spokesman Matthew Bennet (formerly an aide in the Clinton White House) was concerned the briefs "raise questions about the enforceability of gun laws and, importantly, leaves open the question about whether new gun laws could be enforced." It will be interesting to see if AGS remains relatively silent on the DOJ's actions in order to continue the charade that it supports the rights of law-abiding gun owners, or if it will choose to expose its true anti-gun agenda by condemning the government's position that the Second Amendment protects an individual right.

Ultimately, what Olson's briefs will mean to the overall debate over gun control remains to be seen. NRA-ILA Executive Director Chris Cox cautioned that it is too early to tell what the impact on existing laws will be, but also stated, "[O]bviously we're pleased by this. This is a very good start." And most constitutional and legal experts concur. George Mason University Professor Nelson Lund told the *Washington Times*, "The decision seems largely symbolic. We don't have any way of knowing whether it's going to have any practical effect at all. If so, it will be quite some time before we see an effect." Attorney Stephen Halbrook, who successfully argued a challenge to the Brady Act before the Supreme Court, told the *Times*, "No court is going to be persuaded because the government says [supporting the individual right to arms is] their policy. It's what they've got to back it up that matters."

But make no mistake, Olson's filing is a welcome sign that the DOJ will support and view the Second Amendment as our Founding Fathers had originally intended—a protection of an individual right to arms. Chris Cox told the *LA Times*, "It should come as no surprise that this attorney general has followed through on his correct interpretation that the Second Amendment is an individual right, following through not only in word but in deed."

## House Subcommittee Approves Reckless Lawsuit Preemption Bill

The U.S. House Commerce, Trade and Consumer Protection Subcommittee approved H.R. 2037 on Thursday, May 9. This bill, introduced by U.S. Representatives Cliff Stearns (R-Fla.) and Chris John (D-La.), seeks to block politically-motivated lawsuits that attempt to hold gun makers liable for the criminal misuse of their products. H.R. 2037 currently has 225 co-sponsors, and was approved on Thursday by a voice vote. Representatives Stearns and John deserve a great deal of thanks for their efforts to guide this critical legislation through the House. In addition, S. 2268, the Senate's companion to the House reckless lawsuit preemption bill, has been introduced by U.S. Senators Larry Craig (R-Id.) and Zell Miller (D-Ga.). It has five co-sponsors, and needs more. *Please call both your U.S. Senators and urge them to co-sponsor S. 2268. You can reach your Senators by calling (202) 224-3121. You can find additional contact information by using our ["Write Your Reps"](#) tool.*

5/17/2002

## Reckless Lawsuit Preemption Continues To Build Momentum

**S. 2268**, the Senate version of reckless lawsuit preemption, is rapidly gaining support. This bill, along with the House companion (**H.R. 2037**), seeks to block

politically-motivated lawsuits that attempt to hold law-abiding gun makers liable for the criminal misuse of their products. Last week, five Senators had signed their names to S. 2268—introduced by **U.S. Senators Larry Craig** (R-Id.) and **Zell Miller** (D-Ga.)—but thanks to the encouragement of NRA members and the pro-gun community, a total of 13 Senators have now signed on. This is excellent progress, but the bill still needs more support. The House companion already has more than half of that chamber's members signed on as co-sponsors (227), and has progressed through subcommittee, so our focus has shifted to recruiting more support for the Senate bill. [Please contact your U.S. Senators at \(202\) 224-3121 to urge them to co-sponsor this critical legislation. To find additional contact information, use our "Write Your Reps" tool.](#)

As for the House bill, H.R. 2037, we reported last week that the **U.S. House Subcommittee on Commerce, Trade & Consumer Protection** approved it by voice vote. During last week's subcommittee meeting—the process that follows hearings and which is referred to as the "markup" session—**U.S. Representative Cliff Stearns** (R-Fla.) introduced substitute language to H.R. 2037. Stearns, who originally introduced the bill with **Representative Chris John** (D-La.), offered his substitute to address the "negligent entrustment" issue. Stearns' language makes it clear that no protection is provided for a person if he supplies a firearm or ammunition to a person who the seller "knows or should know the person to whom the product is supplied is likely to use the product, and in fact does use the product, in a manner involving unreasonable risk of physical injury to himself and others."

During his opening statement, Rep. John pointed out that these reckless lawsuits threaten billions of dollars in commerce. He went further and explained that those who depend on gun manufacturers for jobs could be seriously harmed by these lawsuits, pointing out that lifestyles and livelihoods in Louisiana and across the nation are threatened by the suits. Rep. John also cautioned that if these baseless suits are allowed to continue, every industry in America could be attacked in a similarly baseless way.

**U.S. Rep. John Dingell** (D-Mich.) gave strong support for the legislation, and remarked that if these lawsuits are not stopped, similar reckless suits against automobile manufacturers may be next. **Rep. Greg Walden** (R-Ore.) supported Dingell's concerns with an accurate analogy, pointing out that opponents of this legislation seem to be saying that if a person drives his car into a crowd of people on a street corner, the city where the accident occurred should be able to sue the car manufacturer.

**Rep. Dianne DeGette** (D-Colo.)—one of Congress's more extreme anti-gun voices—made the expected

objections to any relief from baseless lawsuits being extended to gun manufacturers. She even went so far as to claim that NRA—which is clearly not a member of the firearms industry—would be protected from lawsuits. Clearly, DeGette is also opposed to pro-Second Amendment advocacy groups exercising their right to free speech as protected under the First Amendment, most recently exemplified by her support of the recently-enacted campaign finance "reform" law.

Be sure to contact the following pro-gun Representatives to thank them for their support of this critical reform: **Nathan Deal** (R-Ga.), **Charlie Bass** (R-N.H.), **Ed Whitfield** (R-Ky.), **John Shadegg** (R-Ariz.), **John Dingell** (D-Mich.), **Earnest Fletcher** (R-Ky.), **John Shimkus** (R-Ill.), **Fred Upton** (R-Mich.), **Lee Terry** (R-Neb.), **Greg Walden** (R-Ore.), and **George Radanovich** (R-Calif.). And a special thanks should be extended to **Chris John** (D-La.) and **Cliff Stearns** (R-Fla.), who have spearheaded the efforts to date to ultimately guide this legislation through the House. You can reach these lawmakers by calling the House switchboard at (202) 225-3121, but to find additional contact information, use our ["Write Your Reps"](#) tool.

5/29/2002

## Magaw & Mineta Say "NO" To Armed Pilots

**Transportation Security Administration (TSA) Undersecretary John Magaw**—who headed the **Bureau of Alcohol, Tobacco & Firearms (BATF)** during the **Clinton/Gore Administration**—proclaimed on Tuesday that he would not allow properly trained commercial airline pilots or any other flight deck crew to have access to firearms as a last line of defense against terrorist hijackers. Magaw, who has been supported in his stance against arming pilots by **Department of Transportation (DOT) Secretary Norman Mineta** (a former California Congressman who received an "F" from NRA when he last sought re-election), told the **Senate Aviation Subcommittee**, "Pilots need to concentrate on flying the plane," then made it clear his position was that only federal air marshals could be trusted with firearms aboard commercial aircraft. While the general public overwhelmingly supports the idea of armed pilots, and the vast majority of pilots support the idea, it seems the major airlines are opposed to the concept. The airlines have exerted the necessary pressure on the DOT to oppose arming pilots, despite the more than 5,000 favorable comments reportedly received by the FAA in evaluating the issue.

Contact Secretary Mineta and Undersecretary Magaw and remind them that, just as we trust pilots to be able to fly

complicated aircraft, we can trust them to be able to use a firearm as a last line of defense against terrorist hijackers. Also remind them that poll after poll shows the general public also trusts airline pilots with firearms in the cockpit. You can contact both the DOT and TSA using the same mailing address: 400 Seventh St., S.W., Washington, DC, 20590. E-mail can be sent to the DOT at [dot.comments@ost.dot.gov](mailto:dot.comments@ost.dot.gov), and to the TSA at [9-AWA-TELLFAA@faa.gov](mailto:9-AWA-TELLFAA@faa.gov).

In addition, there are two bills in Congress that would provide for the arming of properly trained flight deck crew. **H.R. 4635**—introduced by **U.S. Representatives John Mica** (R-Fla.) and **Don Young** (R-Alas.)—has 31 co-sponsors, and is gaining support. **S. 2554** was introduced yesterday by **U.S. Senator Bob Smith** (R-N.H.), and already has five co-sponsors. The Senate bill would also provide self defense training for flight attendants, and is likely to gain their support. Please contact your U.S. Senators at (202) 224-3121 and your U.S. Representative at (202) 225-3121, and urge them to co-sponsor these bills. Those on the Internet can find additional contact information by using our ["Write Your Reps"](#) tool.

## Representative Dingell Pushes For NICS Reform

Last week, **U.S. Representatives John Dingell** (D-Mich.) and **Carolyn McCarthy** (D-N.Y.) introduced **H.R. 4757**. And while a bill with Carolyn McCarthy's name on it is usually bad news for gun owners, this one would actually take positive, corrective steps to improve the ailing **National Instant Check System (NICS)**. H.R. 4757 seeks to improve the operation of NICS by pressuring all 50 states to ensure NICS has instant access to the records of individuals who are prohibited from possessing a firearm.

Unfortunately, some within the anti-gun community, including members of the media, are misclassifying this legislation as an expansion of gun control. However, as Rep. McCarthy told the **Los Angeles Times**, "Basically, we're just going to enforce the current gun laws." The agenda of those who misidentify this legislation as "something of an expansion," such as **Kristen Rand** of the extremist **Violence Policy Center**, is unclear, but some may be doing so in an attempt to harm Representative Dingell's reelection campaign by trying to weaken support for him among gun owners. In fact, it is because of Rep. Dingell's involvement with the shaping of this legislation that it became a positive, productive measure.

Regardless of how the anti-gun community wishes to try to spin H.R. 4757, the bill should help to improve NICS performance. By making sure the system has instant access to any relevant and legally permissible records necessary to determine if an individual is prohibited from

possessing a firearm, law-abiding gun purchasers should experience fewer delays, while firearms can be successfully denied to violent criminals and those adjudicated mentally incompetent.

5/31/2002

## Arming Pilots: Keep up the Pressure on Magaw & Mineta

**Transportation Security Administration (TSA) Undersecretary John Magaw** and **Department of Transportation (DOT) Secretary Norman Mineta** need to continue to hear from the millions of Americans who support allowing properly trained commercial airline pilots and other flight deck crew to have access to firearms as a last line of defense against terrorist hijackers. Both Magaw and Mineta have stated their opposition to the idea of armed pilots, even though pilots and the general public overwhelmingly support it. Unfortunately, the major airlines are opposed to the concept, and have exerted enough pressure on the DOT to officially oppose arming pilots, despite the more than 5,000 favorable comments reportedly received by the FAA in evaluating the issue.

Contact Secretary Mineta and Undersecretary Magaw and remind them that, just as we trust pilots to be able to fly complicated aircraft, we can trust them to be able to use a firearm as a last line of defense against terrorist hijackers. Also remind them that poll after poll shows the general public also trusts airline pilots with firearms in the cockpit. [You can contact both the DOT and TSA using the same mailing address: 400 Seventh St., S.W., Washington, DC, 20590. E-mail can be sent to the DOT at \[dot.comments@ost.dot.gov\]\(mailto:dot.comments@ost.dot.gov\), and to the TSA at \[9-AWA-TELLFAA@faa.gov\]\(mailto:9-AWA-TELLFAA@faa.gov\).](#)

In addition, there are two bills in Congress that would provide for the arming of properly trained flight deck crew. **H.R. 4635**—introduced by **U.S. Representatives John Mica** (R-Fla.) and **Don Young** (R-Alas.)—has 31 co-sponsors, and is gaining support. **S. 2554**—introduced by **U.S. Senator Bob Smith** (R-N.H.)—has five co-sponsors. The Senate bill would also provide self defense training for flight attendants. [Please contact your U.S. Senators at \(202\) 224-3121 and your U.S. Representative at \(202\) 225-3121, and urge them to co-sponsor these bills. Those on the Internet can find additional contact information by using our "Write Your Reps" tool.](#)

6/7/2002

## Attacks On Gun Shows Expected Soon

The gun control lobby that calls itself "**Americans for Gun Safety**" (AGS) is poised to move forward with its campaign of exploiting the terrorist attacks of September 11 in order to further its anti-Second Amendment agenda. AGS has shamelessly attempted to deceive the American public into believing that terrorists—who are aided by renegade countries that support their murderous agenda with military arms and training, as well as millions of dollars—are shopping at your local gun shows right alongside law-abiding hunters, collectors, and those interested in personal protection. **U.S. Senator John McCain** (R-Ariz.)—the foremost spokesman for AGS in the U.S. Senate—has teamed up with anti-gun **U.S. Senators Hillary Clinton** (D-N.Y.), **Joe Lieberman** (D-Conn.), and **Chuck Schumer** (D-N.Y.), and we expect them to try to force a vote in the Senate on their anti-gun show bill, **S. 890**, some time between now and **Independence Day**. S. 890 is designed to run gun shows out of business through a variety of registration and licensing schemes—and is clearly the first step towards the true goal of banning all legal private sales, including those between friends and family.

[It is critical that you contact your U.S. Senators today and urge them to oppose S. 890 when it is brought up for consideration. You can reach your U.S. Senators by calling the U.S. Senate switchboard at \(202\) 224-3121. Just ask for your Senators' offices, or give the operator your state. For additional contact information, use our "Write Your Reps" tool.](#)

## Majority of Americans Supports DOJ View on Right to Arms

A recent **Zogby International** poll shows an overwhelming majority of American voters (75%) support the **Bush/Ashcroft Department of Justice's** (DOJ) accurate view that the Second Amendment protects an individual right to keep and bear arms. The poll of "likely voters" showed that, while **Republicans** were most likely to share this view (84%), a solid majority of **Democrats** (65%) also supported the DOJ's position. The ridiculous fabrication by anti-gun extremists that the Second Amendment protects only a "collective" right of states to maintain militias has now been repudiated by countless historians and legal scholars, and is proven to be resoundingly rejected by mainstream America. This poll certainly explains why numerous Democrats are trying to distance themselves from the perception that the Democratic Party is synonymous with gun control—some honestly, while others are working purely in the interest of expediency.

While there are countless lawmakers (as well as voters, as the Zogby poll indicates) who are Democrats and who are solid supporters of the Second Amendment, the most visible and vocal Democrats—including **Senate Majority**

**Leader Tom Daschle** (S.D.); **House Minority Leader Dick Gephardt** (Mo.); U.S. Senators **Hillary Clinton** (N.Y.), **Dianne Feinstein** (Calif.), **Ted Kennedy** (Mass.), and **Chuck Schumer** (N.Y.); and **U.S. Representatives, David Bonior** (Mich.) and **John Conyers** (Mich.)—are also some of the most strident advocates of restricting our Right to Keep and Bear Arms. They, unfortunately, set the legislative and political agenda that all other Democrats are expected to embrace.

But as anti-gun extremism continues to fall out of favor with the general public, perhaps more pro-gun Democrats will begin to take a greater role in directing the course of their party when it comes to firearms. Already we have seen **U.S. Senator Zell Miller** (D-Ga.) speak passionately about his support of law-abiding gun owners when he spoke at NRA's recent **Annual Meetings in Reno, Nev.** And pro-gun stalwarts such as **U.S. Representatives John Dingell** (Mich.), **Ike Skelton** (Mo.), **Charles Stenholm** (Tex.), **Collin Peterson** (Minn.), and **Ted Strickland** (Ohio), to name just a few, continue to reject the anti-gun agenda of their party's leadership.

Unfortunately, another outcome of the general public's rejection of anti-gun extremism seems to be a concerted effort by candidates to disguise their anti-gun records, and campaign under the guise of being "pro-gun." Most recently, we have seen former **Philadelphia Mayor Ed Rendell**—one of the pioneers of the reckless lawsuit campaign designed to drive law-abiding gun makers into bankruptcy—claim he "support[s] the Second Amendment," while he sought the Democratic Party's nomination for governor of Pennsylvania. But if having been endorsed by the gun-ban lobby wasn't enough to tell you where Rendell truly stands, a recent [opinion piece in the Philadelphia Daily News by Professor John Lott](#) should remove all doubt. In the article, Professor Lott recalls an encounter with Rendell in 1999. Lott stated he overheard the then-Philly Mayor reassure representatives of the **Violence Policy Center** (VPC), "I just can't say publicly what we want to do, we have to take these things slowly." This comment to representatives of a group that openly advocates banning firearms should be an eye-opener to anyone who has bought into Rendell's deceptive campaign. But Lott goes on to relate that "Rendell said that, as a city prosecutor, he had never seen a defensive gun use, and that as far as he was concerned, he had never heard of a defensive gun use. He said that he didn't believe they occurred." It's hard to imagine someone can claim to support the Second Amendment, yet also claim to be ignorant of the defensive uses of firearms by law-abiding citizens. Especially when research indicates law-abiding citizens use firearms for defensive purposes as many as 2.5 million times a year.

Clearly there are many good Democrats who truly support our Right to Keep and Bear Arms. But as the Rendell

campaign shows, there are others who continue to embrace the gun-ban agenda, but also understand the general public has grown tired of anti-gun extremism. While some, like Rendell, will do everything they can to camouflage their true anti-gun views, you can rest assured that NRA will continue to expose those lawmakers and candidates seeking office who are truly opposed to the Second Amendment.