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# Allegheny County Sportsmen's League Legislative Committee Report

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

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## ACSL Lawsuit against Pennsylvania State Police

Since last month's report we have not received any additional information regarding our lawsuit against the Pennsylvania State Police.

## Pennsylvania Joins MATRIX

On March 29, 2004 the ACLU of Pennsylvania released a statement to the Pennsylvania General Assembly to "Bring MATRIX Under Control"

MATRIX stands for Multistate Anti-Terrorism Information Exchange. Currently there are only five state participating, **They are: Connecticut, Florida, Michigan, Ohio, and Pennsylvania. Over the last few months Alabama, Georgia, Kentucky, Louisiana, Oregon, South Carolina and Utah have dropped out of , or suspended their participation in, MATRIX.** According to the ACLU's statement. "It (MATRIX) is a federally funded program that pulls together public and commercial databases. Billions of records on millions of Americans are being stored and controlled by a private company, Seisint Inc. Through MATRIX governmental agents can instantaneously access information on firearms and hunting licenses, motor vehicle and driver record information, criminal history records, bankruptcy filings, professional licenses and voter registration information."

The Pennsylvania State Police, without legislative approval or oversight, has apparently entered into an agreement to participate in MATRIX. The ACLU believes that the Pennsylvania General Assembly should take the lead in assuring the privacy of Pennsylvania's citizens. "There should be legislative hearing looking into the circumstances under which

Pennsylvania began to participate in MATRIX. Questions should be asked concerning the funding of MATRIX, what data is being compiled and distributed through MATRIX, who has access to it and what steps are being taken to guarantee that this information will never be used for data mining or creating profiles of Pennsylvanians. Below is from the MATRIX web site: <http://www.matrix-at.org/>

## HB 2403 Controlling Firearm Ownership in Protection from Abuse Orders.

House Bill 2451 was voted out of the House Judiciary Committee on Tuesday May 4, 2004. This, bill deals with possession of firearms where the court has order a Protection From Abuse (PFA). The legislation had unanimous committee approval, and it has been reported by Rep. Metcalf's office, that NRA was involved and that, **"This bill has been negotiated with the NRA and they are neutral on the bill and have agreed not to oppose."**

The following is a brief overview of the legislation provided by the House Judiciary Committee;

*"The HOUSE JUDICIARY COMMITTEE:*

*HB 2403 Weber - (PN 3634) Amends Title 23 (Domestic Relations) by defining several terms such as "dating relationship", "firearm," "Master for emergency relief," "sheriff," and "weapon." The bill further defines the parameters concerning jurisdiction, addresses the issue of the affect of departure and non- residence, addresses when filing costs and fees may be assessed; adds provisions required in the information in the Statewide Registry (relationship between plaintiff and defendant, firearm license information and*

*relinquishment); addresses custody issues relevant to abuse or risks posed, and immunity. A person convicted of an offense listed in the bill (related to protection from abuse) would not possess, use, control, sell, transfer or manufacture or obtain a license for a firearm. A defendant subject to a protection from abuse order, which provides for relinquishment of firearms or other weapons, will have a specified time frame to relinquish the firearm to a sheriff or to relinquish it to a licensed firearm dealer for consignment sale, lawful transfer or safekeeping. (Prior Printer's Numbers: 3379) The bill was unanimously reported as amended by A1667 (O'Brien), which gives instructions to the state police in the relinquishment of firearms to the police in domestic violence cases and the purging of the registry."*

## **City of Philadelphia asks General Assembly for Special Authority to Enact Additional Gun Control.**

Members of the Pennsylvania General Assembly received a letter from the City of Philadelphia - City Council. The Philadelphia City Council will be considering legislation introduced by Councilwoman Donna Reid Miller and Darrell Clark. This legislation is local and would require state to give the City the authority to enact the ordinances in order for them to be lawful.

According to the letter sent to the General Assembly by Councilman Darrell L. Clarke;

*"City Council is currently considering important legislation introduced by Councilwoman Donna Reid Miller and myself concerning gun violence prevention in Philadelphia. This is local legislation that will require state authorization upon passage. Therefore, I am requesting your leadership and support for its enactment.*

*As you know, effective gun violence prevention is urgently needed in Philadelphia. The use of offensive weapons as implements of serious crime in our city represents an increasing danger to the lives and safety of our residents. The initiatives advanced by this legislation will help reduce the epidemic of gun violence in this city.*

*Enclosed are drafts of each bill. I would like to further discuss this issue with you at you earliest convenience. Your attention to this matter is greatly appreciated."*

The legislation consists of 9 bills ranging from further providing for "**Firearms Tracing**

**Possession of weapons on School Property.**

**Straw and Multiple gun Purchase Reduction.**

**Sale or Transfer of Ammunition, Possession.**

**Sale or Transfer of firearms by Person Subject to Protection From Abuse Orders.**

**Acquisition or Transfer of Firearms.**

**Reporting Requirements Upon the Application for or Renewal of a License to Carry a Firearm.**

**Temporary Removal of Firearms of Person Posing a Risk of Imminent Personal Injury To self or Others.**

**Prohibition of Contraband Weapons, Accessories and Ammunition."**

There has been no word from the General Assembly if anyone is willing to begin the process of dismantling our preemption Act. I don't believe that enough members of the General Assembly will be willing to enter into such a controversial issue this late in the year. It seem that these Philadelphia council persons are setting up the issues for the fall election season where Pennsylvania is going to be a big swing state for the Presidency.

## **It's Sen. Arlen Specter v. Congressman Joe Hoffel in the Fall**

Senator Arlen Specter squeaked out a victory over challenger Pat Toomey to win the Republican nomination for U.S. Senate. He will face Democrat Congressman Joe Hoffel.

Specter beat Toomey by only 12,603 votes, 525,003 to 512,400. He won 48 of the 67 counties to Toomey's 19. Specter won most of the counties in the conservative "T", which was thought would go to Toomey's column, although by slim margins.

Specter won Philadelphia county and Toomey won Allegheny County. But Specter's biggest win was in Montgomery county where he won by almost a 15,000 vote margin. He also had big wins in Bucks and Chester counties which gave him over 10,000 of the 12,603 votes he needed to win. All of these eastern counties are heavy liberal Republicans. It

was in these counties that Toomey had to attempt to win, or score bigger in the counties in the "T". He did neither.

Specter will now face a very liberal anti-gun Joe Hoffel in the General Elections this fall.

## NRA-ILA Grassroots Alerts

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### LYING FOR DOLLARS

As Mark Twain once quipped, "A lie can travel halfway around the world while the truth is putting on its shoes." Apparently, this is the hope of the Brady Campaign as they launch another fundraiser built on deception. Faced with the prospect of the Clinton gun ban expiring September 13, the Brady bunch is once again engaging in a desperate and deceptive fundraising campaign. In their latest attempt to push their political agenda through blatant hype and deliberate misinformation, the Brady Campaign, in referring to "Uzis" and "AK-47s," states that, "unless the assault weapons ban is renewed this summer, these illegal weapons will be legal again." The truth is that AK-47s and Uzis were prohibited in 1989, under federal firearm importation law, five years prior to the enactment the Clinton ban! The expiration of the Clinton gun ban will not in any way affect this previous law. The Brady Campaign is lying.

In fact, the Clinton gun ban, and the "assault weapons" issue as a whole, have been propagated on a campaign of lies. Study after study both before and after the ban has found that the ban had no effect on the criminal misuse of firearms. But the enemies of freedom are not only arguing that the ban should be reenacted, but also enormously expanded in scope.

Make no mistake. Over the next few months, we're in for a battle. And we need to be prepared. If you want to know the TRUTH about the Clinton gun ban, please visit NRA-ILA's informative website, [www.ClintonGunBan.com](http://www.ClintonGunBan.com), and learn the facts about this debate, which has too long been driven and dominated by falsehoods and emotion. Please add this website to your bookmarks and forward it to others who need to know both the history and the truth about this issue. Then, please contact your U.S. Representative and Senators and urge them to oppose current legislation seeking to greatly expand the 1994 Clinton gun ban? [H.R. 2038](http://H.R. 2038), H.R. 3831, S. 1431, and [S. 1034](http://S. 1034). Together, we can expose and

refute the Brady Campaign's lies, and rightly relegate this cosmetic ban to the legislative graveyard where it belongs!

For additional contact information for your elected officials you can use the "[Write Your Representatives](#)" tool at [www.NRAILA.org](http://www.NRAILA.org), or you can call your U.S. Senators at (202) 224-3121 and your U.S. Representative at (202) 225-3121.

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### ARMED PILOTS UPDATE

Introduced by Senator Jim Bunning (R-Ky.), S. 2268, and its companion, H.R. 4126?the "Cockpit Security Technical Corrections and Improvements Act of 2004" seek to reform the Federal Flight Deck Officer (FFDO) program by removing many of the obstacles in the Transportation Safety Administration's (TSA) current program. The legislation requires that the TSA train airline pilots in a timely, efficient, and consistent manner.

The agency has continually come under fire for dragging its feet and refusing to properly implement the program. An April 2, CNSNews.com article found that the TSA has made the program cumbersome and discouraging for pilots, noting that less than one percent of the 40,000 pilots who signed up to participate have so far been trained.

Commenting on the current state of affairs, Senator Bunning said, "We're not interested in any excuses from here on out. This is too important to our national security. It's not up to them to like the legislation. It's up to them to implement the legislation that the Congress passed."

Please be sure to contact your Senators and your U.S. Representative and urge them to cosponsor and support S. 2268 and H.R. 4126?the Senate and House versions of the "Cockpit Security Technical Corrections and Improvements Act of 2004." You can find contact information for your elected officials by using the "[Write Your Representatives](#)" tool at [www.NRAILA.org](http://www.NRAILA.org), or you can call your U.S. Senators at (202) 224-3121 and your Representative at (202) 225-3121.

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### PENNSYLVANIA PRIMARY ELECTION RESULTS

As you know, on April 27, primary elections were held in Pennsylvania. Your hard work leading up to the elections paid off as three NRA-PVF-endorsed pro-gun candidates won their races.

U.S. Senator Arlen Specter (R) won a close race for the Republican nomination and U.S. Representatives John Peterson (R-5) and Bill Shuster (R-9) also won their races.

Our sincere thanks go out to all of our hardworking members, supporters, and Election Volunteer Coordinators who contributed to this success.

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**05/7/2004**

**YOUR ACTION NEEDED ON ILA'S FEDERAL LEGISLATIVE PRIORITIES**

NRA-ILA is seeking support and cosponsorship of several important pieces of legislation that have recently been introduced in the U.S. House of Representatives. Following is a brief summary of each bill, along with instructions on how you can influence the outcome of these debates. Once you have taken the requested action, please be sure to forward this information to your family, friends, and fellow firearm owners and ensure they do the same.

H.R. 3193, the "District of Columbia Personal Protection Act," introduced by Representatives Mark Souder (R-Ind.) and Mike Ross (D-Ark.), already has 178 cosponsors. This bill would restore the right of self-defense to law-abiding citizens of Washington, D.C., so that those citizens could own rifles, shotguns, and handguns without the current bureaucratic registration requirements. Most importantly, it would allow law-abiding District residents to use firearms to protect their homes and families—a right enjoyed throughout the U.S., but currently denied by the D.C. Code.

H.R. 4048, the "Firearm Commerce Modernization Act", introduced by Representative Phil Gingrey (R-Ga.), updates federal gun law to take advantage of modern technology. When the Gun Control Act of 1968 was enacted, the only way to screen criminal records or other disqualifications of potential gun buyers was at the state level, so the Congress passed a broad ban on interstate sales to allow state enforcement of various permit and license systems. Today, however, all retail gun sales involve an FBI background check, either for issuance of a state permit or as an instant check at the point of sale. The "Firearm Commerce Modernization Act" would allow interstate gun sales, provided all other federal or state laws (in both states) are abided. It would also remove convoluted limits on licensed dealers, so that dealers could carry out the same transactions in person that they currently perform with one another by mail—even though mail transactions create a much greater risk that guns may be lost or stolen during shipment.

H.R. 4126, the "Cockpit Security Technical Corrections and Improvements Act," introduced by Representative Joe Wilson (R-S.C.), would speed up the training and arming of qualified airline personnel to defend against terrorism as Federal Flight Deck Officers (FFDOs). Despite overwhelming congressional support for the original armed pilot legislation, the Transportation Security Administration has been extremely slow in implementing this program. In addition to limited capacity at training facilities, highly qualified pilots—including nuclear-qualified military pilots and even federal law enforcement officers—have been deterred from participating by unnecessary and counterproductive "psychological screening". They have also been subjected to dangerous gun storage requirements that have already resulted in the loss of FFDOs' government-issued firearms. H.R. 4126 would expedite the implementation of this program by immediately arming experienced, trained pilots on a provisional basis, and by streamlining the training of all pilots who wish to participate in the FFDO program. It would also reduce the load on federal training facilities by allowing use of qualified private facilities for training and requalification of FFDOs.

H.R. 3801, the "First Amendment Restoration Act", introduced by Representative Roscoe Bartlett (R-Md.), would repeal the most offensive provision of the recent campaign finance "reform" law—the prohibition on use of non-PAC money for broadcast communications that use the name or likeness of a federal candidate. The NRA opposed the "reform" law from the outset. Unfortunately, the Supreme Court's abandonment of First Amendment principles in this area leaves no choice other than a congressional repeal of this provision.

Please be sure to contact your U.S. Representative and urge him to cosponsor and support all of these bills. You can find contact information for your elected officials by using the "[Write Your Representatives](#)" tool at [www.NRAILA.org](http://www.NRAILA.org), or you can call your U.S. Representative at (202) 225-3121.

**COURT UPHOLDS D.C. LAWSUIT DISMISSAL**

Last week, the District of Columbia Court of Appeals last week unanimously upheld a trial court's ruling dismissing the District's "negligence" and "public nuisance" claims against the firearms industry. The appellate court's decision specifically found that none of the plaintiffs stated a valid claim of negligence and that the District had not stated a claim of public nuisance on the facts alleged.

However, while the court said that the District could not sue under its unique "absolute liability" statute, it did allow that individual plaintiffs could. In doing so, the court has thrown out the traditional role of "liability." With the introduction of "absolute liability," a defendant is essentially stripped of almost any defense. While the Court took a positive step in affirming that firearm manufacturers are not responsible for the criminal misuse of firearms due to (in this case) "negligence" and "public nuisance," the case represents yet another blatant example of the need to pass a comprehensive federal lawsuit protection bill. Allowing these types of lawsuits to continue unabated will be disastrous for the American firearm industry, and for your right to lawfully own firearms. We owe it to ourselves, and all gun owners across the country, to continue this fight until we pass a lawsuit bill as soon as possible. When we succeed in ultimately enacting a lawsuit bill into law, it will represent a monumental step forward for our rights. Rest assured we will keep you informed of our efforts.

#### **RANGE VOTED "POINT OF PRIDE"**

As noted in the February 13 edition of the Grassroots Alert, the Phoenix, Arizona-based [Ben Avery Shooting Facility](#) (BASF), one of the nation's premier shooting facilities, had come under attack in recent years because of encroaching development. As a result, NRA-ILA recently helped pass HB 2158, the "Ben Avery Shooting Facility Preservation Bill."

Fast on the heels of this important legislative victory, we're happy to report that the BASF has now been named as a Phoenix Point of Pride!

The Phoenix Points of Pride program is operated by the Phoenix Pride Commission. A Point of Pride is a landmark or attraction unique to, and located within, the city of Phoenix that evokes a sense of pride among area residents. The public nominated more than 70 sites for Phoenix Points of Pride status in the fall of 2003. The list was narrowed to 10 finalists, which were voted on by the public in February and March.

The City of Phoenix called the range, "a professionally managed and operated safe, family-based and customer-friendly shooting sports recreational facility."

Congratulations to BASF on this notable and much deserved distinction!