

# THE Gun Owners

30 YEARS OF NO COMPROMISE – 1975-2005

## GOA Decries Bill Granting FBI Unlimited Access To Gun Sales Records

by Craig Fields

Registration leads to confiscation. We all know that, and that is why GOA has vehemently opposed all attempts by government forces to compile or retain information pertaining to lawful firearms purchases.

From the BATF's infamous "FIST" program of the 1990's, through state-level "Brady expansion" bills — even the Brady Act itself — Gun Owners of America has consistently been right out in front, warning that government knowledge of who owns what guns is an evil with consequences of mammoth proportions.

But the United States Senate does not appear to see it that way. People on Capitol Hill seem to think that any "edge" in the war on terror is worth trampling on the rights of law-abiding

Americans, no matter what the Constitution (and current law) happens to say.

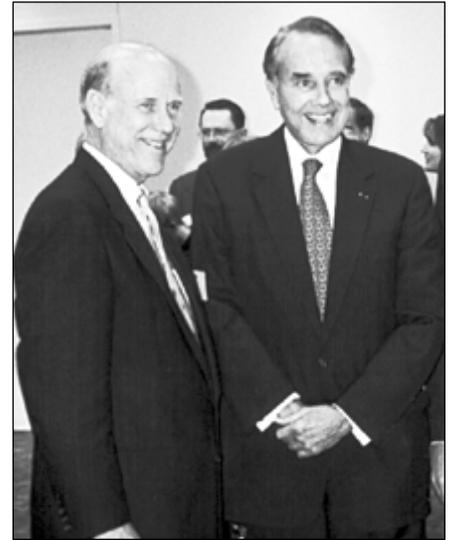
At issue is a provision in the Patriot Act reauthorization bill (S. 1266) authored by Sen. Pat Roberts (R-KS). Now, GOA has long opposed the vast majority of Patriot Act powers as being detrimental to freedom in general and dangerous to gun owners in the particular. But this provision strikes right to the heart of the Second Amendment.

### FBI to grab your gun records?

In short, Sen. Roberts' language would allow the FBI to seize ANY public or private records it believes would be relevant to an anti-terrorism investigation ... without first seeking permission from any court in the land.

As you may know, FFL holders

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Kansas Senator Pat Roberts (left) with former Senator Bob Dole. Roberts has introduced legislation that would allow the FBI to seize the 4473 records of gun buyers without any judicial review.

## Congress Passes Extreme Penalties for Some Who Use Guns in Self-Defense

by Mike Hammond

Let's assume that you and your family are on your way home from church. You have a gun in the glove compartment that is there for self-protection.

After driving within 1,000 feet of a school (which is almost unavoidable), you stop by the grocery store to pick up a few items for lunch.

As you are exiting your car, you are approached by a gang of teenagers, armed with long screwdrivers and wrenches. Realizing that you are about to be mugged, you brandish your firearm in order to scare them off — although this act on your part is a violation of state law which requires that you first retreat, rather than defend yourself.

Congratulations. Under legislation that recently passed the House, all the members of your family are now subject to a MANDATORY MINIMUM sentence of ten years in prison — and up to life imprisonment.

The judge would have *no discretion* to release you before the end of the ten-year period — *but* an anti-gun judge could sentence you and your family to LIFE IMPRISONMENT.

Sound ridiculous? Welcome to the new "tough-on-crime" House of Representatives.

### Failing to learn the lessons of the past

It's not as though Republicans like

House Judiciary Committee Chairman James Sensenbrenner (R-WI) have no experience with the "unintended" broad consequences of anti-gun laws.

Remember the Racketeer Influenced and Corrupt Organization Act (RICO)?

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### Inside:

- See how your Representatives voted on gun rights (pages 4 and 5)
- The lie: "Assault" weapons (page 7)

## Congress Passes Extreme Penalties

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That bill was passed with the ostensible purpose of going after the Mafia.

But it was poorly drafted. At its core, a person or business only had to commit two of a broad list of sometimes-fairly-innocuous crimes in order to be subject to stiff prison sentences. As a result, lawsuits and criminal prosecutions soon sprouted against legitimate banks and businesses and pro-life protestors.

Never capable of learning from its mistakes, Congress is about to go after gun owners in the same way.

This new bill — touted as anti-gang legislation — is numbered H.R. 1279 in the House, where it passed by a 279-144 margin on May 11.

Twenty Republicans — including pro-gun stalwarts like John Hostettler (R-IN), Ron Paul (R-TX), and Roscoe Bartlett (R-MD) — voted against it.

It now goes to the Senate, where its counterpart — S. 155 — is sponsored by anti-gun zealot Dianne Feinstein (D-CA) and Orrin Hatch (R-UT).

Similar to RICO, these two bills, at the core, would define “criminal street gangs” to be formal *or informal* groups of three or more individuals who commit two or more of a long list of “predicate” crimes.

### Turning your next hunting party into a “criminal street gang”?

What are these “predicate” crimes, of which two or more could get you thrown into the slammer for the rest of your life? Check these out:

- Violation of the Kohl 1,000-foot “gun-free-school-zone” law would be a “predicate” crime in the House bill.
- Having a gun in violation of the Lautenberg amendment — because you spanked your kid or spat on your husband — would be a predicate in both the House and Senate versions.
- Accidentally shooting a doe instead of a buck — or shooting the wrong kind of duck — would be a “crime of violence” (under the 18 U.S.C.



**Senators Dianne Feinstein (D-CA) and Orrin Hatch (R-UT) have teamed up to introduce anti-gang legislation that would punish law-abiding citizens for using a gun to defend themselves in certain circumstances.**

16 definition) and could therefore be a “predicate” crime if some of the worst provisions from both bills end up in the final version that goes to the President.

And, as mentioned above, your family’s trip past the school — as you’re driving home from church — could send all of you to jail if you use your gun in self-defense, rather than first retreating as required in some states.

This is because:

- A “criminal street gang” exists as soon as this “informal” group of “3 or more individuals” (your family) commits “2 or more gang crimes ... in relation to the group” if one of the crimes is a “crime of violence.”
- Violation of the Kohl “gun-free-school-zone” amendment (18 U.S.C. 922(q)) is a “gang crime.”
- The threat to use a firearm against the muggers is both a “gang crime” and a crime of violence because it involves a “threat” of “force” against a “person.”

The bills have other anti-gun provisions, as well:

#### 1. Mandatory prison sentences for gun owners

The “street gang” provisions in the bill (as mentioned above) could send you and your family to jail for 10 years-to-life if you defend them with a gun under certain conditions.

But even apart from those RICO-style provisions in the bill, there is other language in the bill that could send you to jail for twenty years MINIMUM if you use a gun in self-defense (without your family being nearby).

Federal law prohibits the mere possession of a firearm during and in relation to a crime of violence. The term “crime of violence” clearly includes brandishing or even opening your coat to display a firearm to defend yourself against a mugger — without retreating — in states that require retreat.

Hence, a concealed carry permit holder who opens his suit jacket and displays a firearm to a potential mugger in these states is liable under this section because “crime of violence” means the threatened use of force against person or property.

Section 114 of H.R. 1279 would increase the MINIMUM penalty for shooting the mugger (i.e., a Bernie Goetz-type offense) to TWENTY years in prison.

#### 2. Expanding the Lautenberg gun ban

Section 109 of the House bill — and its counterpart on the Senate version — makes it more likely that a person will NOT get bail if they possessed a firearm after committing a “Lautenberg misdemeanor.”

Again, a person could be held to commit such a misdemeanor if the person spanked their kid or spat on their spouse. So for having committed this small infraction — and for owning a gun — a person faces a higher probability of being held in jail until trial.

Congress should be repealing federal gun control laws, not expanding the penalties for those who own guns. ■

*Mike Hammond is the legislative legal consultant for Gun Owners of America. Erich Pratt also contributed to this article.*



**Republican Representative Roscoe Bartlett (MD) is one of the pro-gun members of the House who voted against the anti-gang legislation, H.R. 1279.**

# Extreme Hypocrisy: Politicians Want Gun Buyers Checked, Not Illegal Aliens

By Jeff Johnson, CNSNews.com

Dozens of U.S. House members who sponsored the nationwide instant background check system for gun buyers in 1993 or backed the expansion of that system in 2002, have shown no support for a similar database intended to identify illegal aliens trying to find work in the U.S.

At least one member who supported the gun control measure is challenging the proposal to crack down on illegal immigrants.

"A database this large is likely to contain many errors," said Rep. Sheila Jackson Lee (D-Texas) during a May 12 hearing on the Illegal Immigration Enforcement and Social Security Protection Act (H.R. 98). "Any one of [the errors] could render someone unemployable and possibly much worse until they can get their file straightened out."

But in 2002, Jackson Lee argued for the "Our Lady of Peace Act," (H.R. 4757), an expansion of the National Instant Check System (NICS) for handgun purchases.

"I strongly support this legislation," Jackson Lee said during the Oct. 15, 2002 consideration of the Our Lady of Peace Act. "A major problem with the instant check system has been the incomplete records of state and local governments." ...

Erich Pratt, communications director for Gun Owners of America (GOA), said opposition to the attempts to identify illegal immigrants, amounts to

***"Evidently for this gaggle of congressional gun-haters, the Constitution only applies to illegal aliens, not American citizens," Pratt said.***

"hypocrisy," considering those same members' support for the gun control measure.

"Evidently for this gaggle of congressional gun-haters, the Constitution only applies to illegal aliens, not American citizens," Pratt said. "It seems that some people are 'more equal' than others."

GOA and many other pro-gun groups opposed the Brady bill, which established a mandatory waiting period for handgun purchases until the National



**Rep. Sheila Jackson Lee (D-TX) supports government background checks on gun buyers, but not illegal aliens.**

Instant Check System (NICS) became operational on Nov. 30, 1998.

NICS allows gun dealers to electronically check the identities of gun buyers against a database containing information on convicted felons, the mentally ill and others legally prohibited from owning firearms.

A little more than a year after the 2001 terrorist attacks on the U.S., the House moved to expand the NICS database by taking up the Our Lady of

Peace Act. The proposal would have added the names of foreign visitors and students, patients with serious mental illness and known illegal aliens to the list. It passed the House on a voice vote, but the Senate never considered it....

But Jackson Lee is still challenging the proposed Employment Eligibility Database, complaining about past difficulties in correcting inaccurate alien registration information and expressing fears that the sheer size of the proposed

database would exacerbate any problems.

"The act includes a confidentiality requirement and restricts access to the database, but it may not be possible to enforce these limitations," Jackson Lee said. "Moreover, once the database has been created, its use would almost certainly expand."

Pratt hopes Jackson Lee will raise similar questions and objections the next time a bill that would create a database of law-abiding gun owners is proposed in Congress.

"GOA has been saying this for years and we're glad that now that the congresswoman's ox is being gored, she's finally understanding the dangers of forcing honest people to jump through hoops before they exercise their gun rights," Pratt said.

Jackson Lee did not respond to multiple telephone calls and emails to her Capitol Hill office seeking a response for this report. ■

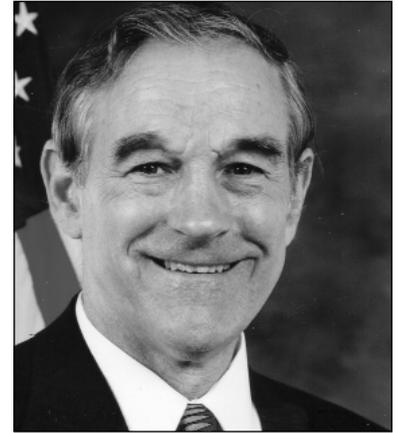
*Jeff Johnson is a Senior Staff Writer for CNSNews.com. This article appeared on June 27, 2005 and is reprinted with permission.*

# Did Your Representative Support Your Gun Rights?

**A Defunding Anti-gun UN.** Rep. Ron Paul (R-TX) offered an amendment on June 16, 2005, to stop U.S. taxpayer funds from going to the United Nations. Paul has argued that this country should boycott the international gun control organization which is actively “taking guns away from civilians.” The Paul provision would have amended the State-Justice-Commerce bill (H.R. 2862), but it was defeated by the House. A vote *in favor* of his amendment is rated as a “+”.

**B Fifty Caliber Ban.** Rep. Jim Moran (D-VA) offered an amendment on June 16, 2005, to prohibit funds for licensing the export of 50 caliber firearms. The Moran amendment was defeated by a vote of 278-149. A vote *against* the amendment is rated as a “+”.

**C Repeal DC Gun Ban.** Rep. Mark Souder (R-IN) amended the DC Appropriations bill (H.R. 3058) with language that will effectively repeal the DC gun ban by prohibiting any federal funds from being used to enforce the ban. The Souder amendment passed by a 259-161 vote on June 30, 2005. A vote *in favor* of the amendment is rated as a “+”.



Pro-gun Rep. Ron Paul (R-TX)

**Key:** + Pro-gun vote  
- Anti-gun vote  
X Not voting

	A	B	C		A	B	C		A	B	C		A	B	C
<b>Alaska</b>				23 Capps (D)	-	-	-	<b>Florida</b>				<b>Idaho</b>			
AL Young (R)	-	+	+	24 Gallegly (R)	-	+	+	1 Miller (R)	+	+	+	1 Otter (R)	+	+	+
<b>Alabama</b>				25 McKeon (R)	-	+	+	2 Boyd (D)	-	+	+	2 Simpson (R)	+	+	+
1 Bonner (R)	+	+	+	26 Dreier (R)	-	+	+	3 Brown (D)	-	-	+	<b>Illinois</b>			
2 Everett (R)	+	+	X	27 Sherman (D)	-	-	-	4 Crenshaw (R)	-	+	+	1 Rush (D)	-	-	-
3 Rogers (R)	+	+	X	28 Berman (D)	-	-	-	5 Brown-Waite (R)	-	+	+	2 Jackson (D)	-	-	-
4 Aderholt (R)-	+	+		29 Schiff (D)	-	-	X	6 Stearns (R)	+	+	+	3 Lipinski (D)	-	-	-
5 Cramer (D)	-	+	X	30 Waxman (D)	-	-	-	7 Mica (R)	-	+	+	4 Gutierrez (D)	-	-	-
6 Bachus (R)	+	+	X	31 Becerra (D)	-	-	-	8 Keller (R)	+	+	+	5 Emanuel (D)	-	-	-
7 Davis (D)	-	+	+	32 Solis (D)	-	-	-	9 Bilirakis (R)	+	+	+	6 Hyde (R)	-	+	+
<b>Arkansas</b>				33 Watson (D)	-	-	-	10 Young (R)	-	+	-	7 Davis (D)	-	-	-
1 Berry (D)	-	+	+	34 Roybal-Allard (D)	-	-	-	11 Davis (D)	-	-	-	8 Bean (D)	-	-	-
2 Snyder (D)	-	+	+	35 Waters (D)	-	-	-	12 Putnam (R)	-	+	+	9 Schakowsky (D)	-	-	-
3 Boozman (R)	-	+	+	36 Harman (D)	-	-	-	13 Harris (R)	-	+	+	10 Kirk (R)	-	-	-
4 Ross (D)	-	+	X	37 Millender-McDonald (D)	-	-	-	14 Mack (R)	-	+	+	11 Weller (R)	-	+	+
<b>Arizona</b>				38 Napolitano (D)	-	-	-	15 Weldon (R)	-	+	+	12 Costello (D)	-	+	+
1 Renzi (R)	-	+	+	39 Sanchez (D)	-	-	-	16 Foley (R)	+	+	+	13 Biggert (R)	-	+	+
2 Franks (R)	+	+	+	40 Royce (R)	-	+	+	17 Meek (D)	-	-	+	14 Hastert (R)	X	X	X
3 Shadegg (R)	-	+	+	41 Lewis (R)	-	+	+	18 Ros-Lehtinen (R)	-	+	+	15 Johnson (R)	-	+	+
4 Pastor (D)	-	-	-	42 Miller (R)	-	+	+	19 Wexler (D)	-	-	-	16 Manzullo (R)	+	+	+
5 Hayworth (R)	+	+	+	43 Baca (R)	-	+	+	20 Wasserman-Schultz (D)	-	-	-	17 Evans (D)	-	-	-
6 Flake (R)	-	+	+	44 Calvert (R)	-	+	+	21 Diaz-Balart (R)	-	+	+	18 LaHood (R)	-	+	+
7 Grijalva (D)	-	-	-	45 Bono (R)	X	X	-	22 Shaw (R)	-	+	+	19 Shimkus (R)	-	+	+
8 Kolbe (R)	-	+	+	46 Rohrabacher (R)	+	+	+	23 Hastings (D)	-	-	-	<b>Indiana</b>			
<b>California</b>				47 Sanchez (D)	-	-	-	24 Feeney (R)	+	+	+	1 Visclosky (D)	-	+	-
1 Thompson (D)	-	+	-	48 Cox (R)	X	+	+	25 Diaz-Balart (R)	-	+	+	2 Choccola (R)	-	+	+
2 Hergert (R)	+	+	+	49 Issa (R)	-	+	+	<b>Georgia</b>				3 Souder (R)	-	+	+
3 Lungren (R)	-	+	+	50 Cunningham (R)	-	+	+	1 Kingston (R)	+	+	X	4 Buyer (R)	-	+	+
4 Doolittle (R)	+	+	+	51 Filner (D)	-	-	-	2 Bishop (D)	-	+	X	5 Burton (R)	+	+	+
5 Matsui (D)	-	-	-	52 Hunter (R)	+	+	+	3 Marshall (D)	-	+	+	6 Pence (R)	-	+	+
6 Woolsey (D)	X	-	-	53 Davis (D)	-	-	-	4 McKinney (D)	X	-	-	7 Carson (D)	-	-	-
7 Miller (D)	-	-	-	<b>Colorado</b>				5 Lewis (D)	-	-	-	8 Hostettler (R)	+	+	+
8 Pelosi (D)	-	-	-	1 DeGette (D)	-	-	-	6 Price (R)	+	+	+	9 Sodrel (R)	-	+	+
9 Lee (D)	-	-	-	2 Udall (D)	-	+	+	7 Linder (R)	-	+	+	<b>Kansas</b>			
10 Tauscher (D)	-	-	-	3 Salazar (D)	-	+	+	8 Westmoreland (R)	+	+	X	1 Moran (R)	+	+	+
11 Pombo (R)	+	+	+	4 Musgrave (R)	+	+	+	9 Norwood (R)	+	+	+	2 Ryun (R)	+	+	+
12 Lantos (D)	-	-	-	5 Hefley (R)	+	+	+	10 Deal (R)	+	+	+	3 Moore (D)	-	-	-
13 Stark (D)	-	-	-	6 Tancredo (R)	+	+	+	11 Gingrey (R)	-	+	+	4 Tiahrt (R)	-	+	+
14 Eshoo (D)	-	-	-	7 Beauprez (R)	-	+	+	12 Barrow (D)	-	+	+	<b>Kentucky</b>			
15 Honda (D)	-	-	-	<b>Connecticut</b>				13 Scott (D)	-	+	X	1 Whitfield (R)	-	+	+
16 Lofgren (D)	-	-	-	1 Larson (D)	-	-	-	<b>Hawaii</b>				2 Lewis (R)	+	+	+
17 Farr (D)	-	-	-	2 Simmons (R)	-	+	+	1 Abercrombie (D)	-	-	-	3 Northup (R)	-	+	+
18 Cardoza (D)	-	+	+	3 DeLauro (D)	-	-	-	2 Case (D)	-	-	-	4 Davis (R)	+	+	+
19 Radanovich (R)	-	+	+	4 Shays (R)	-	-	-	<b>Iowa</b>				5 Rogers (R)	-	+	+
20 Costa (D)	-	+	+	5 Johnson (R)	-	-	-	1 Nussle (R)	-	+	+	6 Chandler (D)	X	+	+
21 Nunes (R)	-	+	+	<b>Delaware</b>				2 Leach (R)	-	-	-	<b>Continued on page 5</b>			
22 Thomas (R)	-	+	+	AL Castle (R)	-	-	-	3 Boswell (D)	-	+	+				
								4 Latham (R)	-	+	+				
								5 King (R)	+	+	+				

	A	B	C		A	B	C		A	B	C		A	B	C				
<b>Louisiana</b>				<b>North Carolina</b>				<b>Ohio</b>				<b>Texas</b>							
1	Jindal (R)	+	+	+	1	Butterfield (D)	-	+	-	1	Chabot (R)	-	+	+	1	Gohmert (R)	-	+	+
2	Jefferson (D)	-	+	+	2	Etheridge (D)	-	+	-	2	Portman (R)				2	Poe (R)	-	+	+
3	Melancon (D)	-	+	+	3	Jones (R)	+	+	+	3	Turner (R)	-	+	+	3	Johnson (R)	+	+	+
4	McCrery (R)	X	+	+	4	Price (D)	-	-	-	4	Oxley (R)	-	X	+	4	Hall (R)	-	+	+
5	Alexander (R)	-	+	+	5	Foxx (R)	+	+	+	5	Gillmor (R)	-	+	+	5	Hensarling (R)	-	+	+
6	Baker (R)	-	+	+	6	Coble (R)	+	+	+	6	Strickland (D)	-	+	+	6	Barton (R)	-	+	+
7	Boustany (R)	-	+	+	7	McIntyre (D)	-	+	+	7	Hobson (R)	-	+	+	7	Culberson (R)	-	+	+
<b>Massachusetts</b>				<b>North Dakota</b>				<b>Oklahoma</b>				<b>Texas</b>							
1	Olver (D)	-	-	-	10	McHenry (R)	+	+	+	10	Kucinich (D)	-	-	-	8	Brady (R)	-	+	+
2	Neal (D)	-	-	-	11	Taylor (R)	-	+	+	11	Jones (D)	-	+	+	9	Green (D)	-	-	-
3	McGovern (D)	-	-	-	12	Watt (D)	-	-	-	12	Tiberi (R)	+	+	+	0	McCaul (R)	-	+	+
4	Frank (D)	-	-	-	13	Miller (D)	-	-	-	13	Brown (D)	-	-	-	11	Conaway (R)	-	+	+
5	Meehan (D)	-	-	-	<b>Nebraska</b>				<b>Oregon</b>				<b>Texas</b>						
6	Tierney (D)	-	-	-	1	Fortenberry (R)	-	+	+	14	LaTourette (R)	-	+	+	12	Granger (R)	-	+	+
7	Markey (D)	-	-	-	2	Terry (R)	-	+	+	15	Pryce (R)	X	+	+	13	Thornberry (R)	-	+	+
8	Capuano (D)	-	-	-	3	Osborne (R)	-	+	+	16	Regula (R)	-	-	+	14	Paul (R)	+	+	+
9	Lynch (D)	-	-	-	<b>New Hampshire</b>				<b>Pennsylvania</b>				<b>Texas</b>						
10	Delahunt (D)	-	-	-	1	Bradley (R)	-	+	+	17	Ryan (D)	-	+	+	15	Hinojosa (D)	-	+	+
<b>Maryland</b>				<b>New Jersey</b>				<b>Rhode Island</b>				<b>Texas</b>							
1	Gilchrest (R)	-	-	-	2	Bass (R)	-	+	+	18	Ney (R)	+	+	+	16	Reyes (D)	-	+	+
2	Ruppersberger (D)	-	+	+	<b>New Mexico</b>				<b>South Carolina</b>				<b>Texas</b>						
3	Cardin (D)	-	-	-	1	Wilson (R)	-	+	+	1	Brown (R)	-	+	+	17	Edwards (D)	-	+	+
4	Wynn (D)	-	-	-	2	Pearce (R)	-	+	+	2	Wilson (R)	+	+	+	18	Jackson-Lee (D)	-	-	-
5	Hoyer (D)	-	-	-	3	Udall (D)	-	-	-	3	McMurry (R)	-	+	+	19	Neugebauer (R)	+	+	+
6	Bartlett (R)	+	+	+	<b>Nevada</b>				<b>South Dakota</b>				<b>Texas</b>						
7	Cummings (D)	-	-	-	1	Berkley (D)	-	-	-	AL	Herseth (D)	-	+	+	20	Gonzalez (D)	-	+	+
8	Van Hollen (D)	-	-	-	2	Gibbons (R)	+	+	+	<b>Tennessee</b>				<b>Texas</b>					
<b>Maine</b>				<b>New York</b>				<b>Texas</b>				<b>Texas</b>							
1	Allen (D)	-	-	-	1	Bishop (D)	-	-	-	1	Jenkins (R)	-	+	+	21	Smith (R)	-	+	+
2	Michaud (D)	-	+	+	2	Israel (D)	-	-	-	2	Duncan (R)	+	+	+	22	DeLay (R)	-	+	+
<b>Michigan</b>				<b>North Carolina</b>				<b>Texas</b>				<b>Texas</b>							
1	Stupak (D)	-	+	+	3	King (R)	-	+	-	3	Wamp (R)	+	+	+	23	Bonilla (R)	-	+	+
2	Hoekstra (R)	-	+	+	4	McCarthy (D)	-	-	-	4	Davis (D)	-	+	+	24	Marchant (R)	-	+	+
3	Ehlers (R)	-	-	+	5	Ackerman (D)	-	+	-	5	Cooper (D)	-	+	X	25	Doggett (D)	-	-	-
4	Camp (R)	-	+	+	6	Meeks (D)	-	-	-	6	Gordon (D)	-	+	+	26	Burgess (R)	+	+	+
5	Kildee (D)	-	+	-	7	Crowley (D)	-	+	-	7	Blackburn (R)	-	+	+	27	Ortiz (D)	-	+	+
6	Upton (R)	-	+	+	8	Nadler (D)	-	-	-	8	Tanner (D)	-	+	+	28	Cuellar (D)	X	X	+
7	Schwarz (R)	-	+	+	9	Weiner (D)	-	-	-	9	Ford (D)	-	+	+	29	Green (D)	-	+	+
8	Rogers (R)	-	+	+	10	Towns (D)	-	-	-	<b>Texas</b>				<b>Texas</b>					
9	Knollenberg (R)	-	+	+	11	Owens (D)	-	-	-	1	Bishop (R)	+	+	+	30	Johnson (D)	-	-	-
10	Miller (R)	-	+	+	12	Velazquez (D)	-	-	-	2	Matheson (D)	-	+	+	31	Carter (R)	-	+	+
11	McCotter (R)	-	+	+	13	Fossella (R)	-	+	+	3	Cannon (R)	+	+	+	32	Sessions (R)	X	X	+
12	Levin (D)	-	-	-	14	Maloney (D)	-	-	-	<b>Utah</b>				<b>Texas</b>					
13	Kilpatrick (D)	-	-	-	15	Rangel (D)	-	-	-	1	Bishop (R)	+	+	+	<b>Texas</b>				
14	Conyers (D)	-	-	-	16	Serrano (D)	-	-	-	2	Matheson (D)	-	+	+	<b>Texas</b>				
15	Dingell (D)	-	+	+	17	Engel (D)	-	-	-	3	Cannon (R)	+	+	+	<b>Texas</b>				
<b>Minnesota</b>				<b>North Carolina</b>				<b>Texas</b>				<b>Texas</b>							
1	Gutknecht (R)	-	+	+	18	Lowey (D)	-	-	-	1	Bishop (R)	+	+	+	<b>Texas</b>				
2	Kline (R)	-	+	+	19	Kelly (R)	-	+	+	2	Bishop (R)	+	+	+	<b>Texas</b>				
3	Ramstad (R)	-	-	-	20	Sweeney (R)	-	+	+	3	Matheson (D)	-	+	+	<b>Texas</b>				
4	McCollum (D)	-	-	-	21	McNulty (D)	-	+	-	4	Cannon (R)	+	+	+	<b>Texas</b>				
5	Sabo (D)	-	-	-	22	Hinchey (D)	-	-	-	5	Matheson (D)	-	+	+	<b>Texas</b>				
6	Kennedy (R)	-	+	+	23	McHugh (D)	-	+	+	6	Matheson (D)	-	+	+	<b>Texas</b>				
7	Peterson (D)	-	+	+	24	Boehlert (R)	-	+	+	7	Matheson (D)	-	+	+	<b>Texas</b>				
8	Oberstar (D)	(-)	(+)	+	25	Walsh (R)	-	+	+	8	Matheson (D)	-	+	+	<b>Texas</b>				
<b>Missouri</b>				<b>North Carolina</b>				<b>Texas</b>				<b>Texas</b>							
1	Clay (D)	-	-	-	26	Reynolds (R)	-	+	+	1	Bishop (R)	+	+	+	<b>Texas</b>				
2	Akin (R)	+	+	+	27	Higgins (D)	-	-	-	2	Matheson (D)	-	+	+	<b>Texas</b>				
3	Carnahan (D)	-	-	-	28	Slaughter (D)	-	-	-	3	Matheson (D)	-	+	+	<b>Texas</b>				
4	Skelton (D)	-	+	+	29	Kuhl (R)	-	+	+	AL	Rehberg (R)	-	+	+	<b>Texas</b>				
5	Cleaver (D)	-	-	-	<b>North Dakota</b>				<b>Texas</b>				<b>Texas</b>						
6	Graves (R)	-	+	+	1	Butterfield (D)	-	+	-	1	Gohmert (R)	-	+	+	<b>Texas</b>				
7	Blunt (R)	-	+	+	2	Etheridge (D)	-	+	-	2	Poe (R)	-	+	+	<b>Texas</b>				
8	Emerson (R)	-	+	+	3	Jones (R)	+	+	+	3	Johnson (R)	+	+	+	<b>Texas</b>				
9	Hulshof (R)	+	+	+	4	Price (D)	-	-	-	4	Hall (R)	-	+	+	<b>Texas</b>				
<b>Mississippi</b>				<b>North Carolina</b>				<b>Texas</b>				<b>Texas</b>							
1	Wicker (R)	-	+	+	5	Foxx (R)	+	+	+	5	Hensarling (R)	-	+	+	<b>Texas</b>				
2	Thompson (D)	-	-	-	6	Coble (R)	+	+	+	6	Barton (R)	-	+	+	<b>Texas</b>				
3	Pickering (R)	-	+	+	7	McIntyre (D)	-	+	+	7	Culberson (R)	-	+	+	<b>Texas</b>				
4	Taylor (D)	+	+	+	8	Hayes (R)	-	+	+	8	Brady (R)	-	+	+	<b>Texas</b>				
<b>Montana</b>				<b>North Carolina</b>				<b>Texas</b>				<b>Texas</b>							
AL	Rehberg (R)	-	+	+	9	Myrick (R)	-	+	+	9	Green (D)	-	-	-	<b>Texas</b>				



## On Target

by Erich Pratt

### Latest police survey shows most U.S. cops are pro-gun

Despite media inferences to the contrary, the overwhelming majority of police chiefs and sheriffs in this country hold pro-gun views.

For the 17th consecutive year, the National Association of Chiefs of Police (NACOP) has polled top cops around the country. As in previous years, the 2005 results have been quite positive.

Almost 94 percent of chief law-enforcement officers agree that “any law-abiding citizen [should] be able to purchase a firearm for sport or self-defense.” And almost three-fourths oppose one-gun-a-month laws that limit gun owners’ purchasing habits.

A whopping majority (96 percent) believe that gun control has been *ineffective* in keeping criminals from getting illegal firearms, and an almost similar number (93 percent) don’t trust the

news they see in the media.

It’s no wonder. How many Americans can say they remember reading about the NACOP poll in the mainstream news?

Those interested can read the poll results at:  
<http://www.aphf.org/surveyresults.pdf>

### With crime rising, U.K. mulls stricter knife control

What does a country do when its draconian gun ban is followed by a spike in crime?

Simple. Just look for another type of weapon to ban.

Faced with skyrocketing crime rates after imposing a handgun ban in 1997, England is now considering more stringent controls on knives and toy guns. Pending legislation would increase the age limit for buying knives from 16 to 18 and would impose higher sentences for carrying imitation guns.

The handgun ban of 1997 has been an utter failure. In the two years that followed, the BBC reported that handgun crime rose by 40 percent in the UK.

And even a 2001 UN report found that England has a higher crime rate

than the other 16 Western industrialized nations that were studied. And, yes, that even includes the United States, which enjoys a crime rate that is far lower than England’s.

### A UN gun tax in the works?

If the socialists at the United Nations had their way, gun owners would be paying much higher prices for the next gun they purchased.

France’s Jacques Chirac and Brazil’s Luiz Lula da Silva have each campaigned for taxing either firearm purchases or manufacturers.

But Rep. Ron Paul (R-TX) scored a very symbolic victory in June when he offered language that will prevent the United Nations from using any U.S. funds to implement a global tax — whether that is a tax on income or firearms or whatever.

The Paul “anti-tax” amendment passed by voice vote as an amendment to the State, Justice and Commerce appropriations bill (HR 2862).

Paul later offered an amendment to deny any U.S. funds from going to the anti-gun UN, but that amendment failed on a recorded vote. Readers can see how their Representative voted on pages 4-5 in this newsletter. ■

## GOA Decries Bill

*Continued from page 1*

must retain copies of the 4473 forms (yellow sheets) filled out on every gun sale. Thus, an anti-gun administration could easily determine that such records would be useful in the fight against terrorism, and demand them all. (Licensees are required to keep hard copies for up to 20 years.)

In fact, shortly after 9/11, liberal Democrats in Washington were screaming for exactly that. You may recall the firestorm that erupted after senators like Ted Kennedy (D-MA) were aghast when then-Attorney General John Ashcroft stated that the law was the law — Brady checks of approved transactions had to be deleted in a timely fashion.

Anti-gunners wanted instant computer access to all of your firearms purchases and didn’t get it. Unfortunately, the hard copies are still up for grabs. The fact that federal law has long main-

tained that the government may NOT register gun owners no longer seems to matter.

The Roberts language would allow every transaction record to be scooped up, without so much as a nod or wink from any court in the nation.

### Bill invades personal privacy, keeps victims in the dark

It gets worse. It is conceivable that your local gun dealer would risk his license, his business, and lots of money to protect your privacy and refuse to turn over his records. But under this legislation, a zealous Attorney General could order the dealer *not to tell you what is going on*.

So that dealer would be the ONLY person who could contest the action before your life is raked over the coals... and honestly, how many among us would risk everything rather than tell the feds who it was that stopped by to pick up a Glock a couple of months ago?

After having used an “administrative

subpeona” (remember, none of this is subject to prior judicial review) to collect all gun purchase records across the country, your friendly anti-gun but oh-so-patriotic government would have brought about the gun owner’s second-worst-case scenario: a national firearms registration list.

Registration leads to confiscation.

This monstrosity must be stopped. It is imperative that your United States senators hear the firm demand of gun owners. GOA has already generated thousands upon thousands of emails into the Senate. But more needs to be done.

The ability to create a national database of gun owners, such as provided for in the Roberts language of S.1266, is simply unacceptable in a free society. ■

*Craig Fields is Director of Internet Operations for Gun Owners of America. GOA’s legislative legal consultant, Mike Hammond, also contributed to this article.*

# The Big Lie of the Assault Weapons Ban: The death of the law hasn't brought a rise in crime – just the opposite

By John R. Lott, Jr.

This wasn't supposed to happen. When the federal assault weapons ban ended on Sept. 13, 2004, gun crimes and police killings were predicted to surge. Instead, they have declined.

For a decade, the ban was a cornerstone of the gun control movement. Sarah Brady, one of the nation's leading gun control advocates, warned that "our streets are going to be filled with AK-47s and Uzis." Life without the ban would mean rampant murder and bloodshed.

Well, more than nine months have passed and the first crime numbers are in. [In June], the FBI announced that the number of murders nationwide fell by 3.6% last year, the first drop since 1999. The trend was consistent; murders kept on declining after the assault weapons ban ended.

## More guns, less crime

Even more interesting, the seven states that have their own assault weapons bans saw a smaller drop in murders than the 43 states without such laws, suggesting that doing away with the ban actually reduced crime. (States with bans averaged a 2.4% decline in murders; in three states with bans, the number of murders rose. States without bans saw murders fall by more than 4%.)

And the drop was not just limited to murder. Overall, violent crime also declined last year, according to the FBI, and the complete statistics carry another surprise for gun control advocates. Guns are used in murder and robbery more frequently than in rapes and aggravated assaults, but after the assault weapons ban ended, the number of murders and robberies fell more than the number of rapes and aggravated assaults.

It's instructive to remember just how passionately the media hyped the dangers of "sunsetting" the ban:

- *Associated Press* headlines warned "Gun shops and police officers brace for end of assault weapons ban."

- It was even part of the presidential campaign: "Kerry blasts lapse of assault weapons ban."
- An Internet search turned up more than 560 news stories in the first two weeks of September that expressed fear about ending the ban. Yet the news that murder and other violent crime declined last year produced just one very brief paragraph in an insider political newsletter, the *Hotline*.

The fact that the end of the assault weapons ban didn't create a crime wave should not have surprised anyone. After all, there is not a single published academic study showing that these bans have reduced any type of violent crime.

## Government studies reveal the futility of semi-auto ban

Research funded by the Justice Department under the Clinton administration concluded only that the effect of the assault weapons ban on gun violence "has been uncertain." The authors of that report released their updated findings last August, looking at crime data from 1982 through 2000 (which covered the first six years of the federal law). The latest version stated: "We cannot clearly credit the ban with any of the nation's recent drop in gun violence."

Such a finding was only logical. Though the words "assault weapons" conjure up rapid-fire military machine guns, in fact the weapons outlawed by the ban function the same as any semi-automatic — and legal — hunting rifle. They fire the same bullets at the same speed and produce the same damage. They are simply regular deer rifles that look on the outside like AK-47s.



Sarah Brady (left) issued dire predictions after the semi-auto ban expired, thinking that crime would increase as our streets [would] be filled with AK-47s and Uzis. FBI reports now show that crime actually went down after the law sunset.

For gun control advocates, even a meaningless ban counts. These are the same folks who have never been bashful about scare tactics, predicting doom and gloom when they don't get what they want.

They hysterically claimed that blood would flow in the streets after states passed right-to-carry laws letting citizens carry concealed handguns, but that never occurred. Thirty-seven states now have right-to-carry laws — and no one is seriously talking about rescinding them or citing statistics about the laws causing crime.

Gun controllers' fears that the end of the assault weapons ban would mean the sky would fall were simply not true. How much longer can the media take such hysteria seriously when it is so at odds with the facts? ■

*John R. Lott Jr., a resident scholar at the American Enterprise Institute, is the author of "More Guns, Less Crime" (University of Chicago, 2000) and "The Bias Against Guns: Why Almost Everything You've Heard About Gun Control Is Wrong." This column first ran in the Los Angeles Times, and it can be seen online at <http://johnrlott.tripod.com/op-eds/LATimesAWB605.html>.*



## The Supreme Court Has Declared Itself Above the Law

by Larry Pratt  
The Supreme Court's 5-4 ruling in June (*Kelo*

*v. City of New London*) legislating away property rights in the United States should give pause to all gun owners, as well as all Americans.

The plain language of the Fifth Amendment limits *eminent domain* to the taking of private property for public purposes. "Public purposes" has been understood for more than 200 years to consist of roads, government buildings and similar public uses. This is still the general understanding by all but a handful of folks in black dresses.

The idea that the owner of a higher tax-yielding use should be able to get the government to grab another owner's property and give it to the user that pays higher taxes is quite simply a theft. In one afternoon, the Supreme Court has done away with private property in the U.S.

Do gun owners think they will remain immune from such tyrants? Already, at various times, six of the nine justices have said that U.S. law should conform to foreign law — especially European law and UN treaties.

How long until our gun laws are made to conform to say, England's, where they have an almost total gun ban? If the U.S. Constitution is no longer a protection against govern-

ment, disarmament and tyranny are simply details to be worked out.

### We told you so!

Gun owners have been telling the country for years that the courts are out of control and view the Constitution with contempt. Judges have told me to my face that my constitutional arguments could not prevail because *court rulings* went counter to what I had shown to be the clear meaning of the Constitution. Judges believe that they are above the law!

Maybe many Americans figured that, well, "that is just those gun nuts squealing." And, hey, even if the Constitution does protect an individual right to keep and bear arms, what's the matter with some gun control, right? I mean, who cares if judges today tend to twist the true meaning of the Second Amendment?

Well, sauce for the goose is sauce for the gander. And now that the gander is being sautéed, what a lot of honking us gun owners are hearing.

OK, enough of that. Let's not prolong the "I told you so" moment. The important thing now is to determine what must be done.

Remember the Democrat cry that went up when Tom DeLay complained of the judges in this country, and that they should be held to account for their actions? Could it be that this Court decision has now changed people's attitudes and convinced a majority of Americans to support the impeachment of judges?

### Time to rein in the courts

Has the latest outrage finally brought a majority to the point that they support Congress' role in exercising the Article III powers of the Constitution to remove jurisdiction of a whole bunch of subjects from the federal courts? And, most immediately, has the majority come to the point where we are ready to see states do what our forefathers did when the feds got out of control?

During the presidency of John Adams, the Sedition Act went on the books. It was a kind of McCain-Feingold campaign act, only less subtle. It said that a newspaper writer would go to jail for criticizing a federal official.

Virginia and Kentucky issued stinging rebukes to the backers of this legislation in 1798 and threatened to nullify the law within the borders of their states if Congress did not repeal the unconstitutional ban on free speech.

Later, some 22 states passed laws nullifying the Fugitive Slave Act following the Supreme Court's *Dred Scott* decision which upheld it. It became impossible for federal marshals to apprehend and return escaped slaves in the north to their southern masters, in spite of federal law.

To save our gun rights, indeed, to save all of our freedoms, the time has come to bring the courts back under control. States need to study the history of nullification. Congress needs to do its part to rein in the judges. In the words of the defenders of freedom on Flight 93, "Let's roll." ■

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