

THE Gun Owners

27 YEARS OF NO COMPROMISE – 1975-2002

GOA Throws Support Behind Smith Bill Curbing Anti-gun Lawsuits

by Mike Hammond

It was supposed to be a great day.

Navegar had suffered through year after nail-biting year in the California state courts — and had spent bundles of money on lawyers trying to vindicate the Second Amendment. But now, the California Supreme Court had finally handed a victory to the firearms industry!

The Supreme Court found that Navegar, a firearms dealer, could not be held liable for the criminal misuse of its firearms.

Sadly, when the lawyers called with the good news, they found that Navegar's phone was disconnected.

The costs of defending the frivolous lawsuit had, as intended, bankrupted the company. According to an *Associated Press* story dated August 17, 2001, the ruling was "considered a victory for Navegar."

Nevertheless, the company is now out of business, the article reported. "The Navegar warehouse is now empty and all of its manufacturing equipment has been removed. A 'For Sale' sign sits out front."

Suits designed to put gun dealers out of business

Cities and counties have now brought 32 lawsuits in an attempt to bring the firearms industry to its knees.

Some have tried to disguise their motives. But others have made no secret of the real objective: the destruction of the Second Amendment.

When the District of Columbia was pioneering the concept of suing semi-auto manufacturers in the early 1980s, one councilman called gun makers "merchants of death."

Not surprisingly, nearly half of the 32 anti-gun suits have already been dis-



Senator Bob Smith has introduced legislation to punish unscrupulous lawyers who are harassing gun makers in the courts.

missed by the courts. But, while courts in places like New York, Pennsylvania, Ohio, Connecticut, and Florida have tossed out these frivolous suits — and 27 states have moved to ban them through legislative action — courts in places like Illinois, Massachusetts, and Louisiana have allowed anti-gun harassment suits to go forward.

It only takes one

As gun grabbers realize, *all it would take is one successful lawsuit to completely bankrupt the American gun industry.*

David Kairys, a Temple University law professor active in assisting anti-gun lawsuits, points out that the tobacco industry lawsuits which served as the inspiration for anti-gun suits were initially largely unsuccessful. "If you look

at the early stages of the tobacco litigation, the city [gun] suits have actually done better," Kairys told the *Philadelphia Inquirer*.

Clearly, the strategy of the anti-gun zealots is to use taxpayer dollars — YOUR dollars — to bring a large number of anti-gun lawsuits, in the hope that one or two crippling suits will ultimately be successful.

Thus far, that strategy is working.

Illinois court sides with gun haters

In January, an Illinois appellate court reinstated Chicago's harassment suit seeking to declare guns and the way they are distributed to be a "public nuisance."

Bragged Dennis Henigan, who is Sarah Brady's legal director, "In a very real sense, this is the gun industry's worst nightmare."

Henigan told *CourtTV* of his intent to use massive requests for documents to harass firearms manufacturers. "As discovery proceeds, it must be very threatening to the industry," he crowed. Not surprisingly, Henigan helps to represent

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GOA Pushing Transportation Dept. to Implement Armed Pilots Law

by Erich Pratt

The more things change, the more they stay the same.

After spending countless dollars and additional man-hours to screen air travelers before boarding planes, weapons still continue to slip by airport security personnel.

In December, a Florida man with a loaded pistol in his carry-on baggage boarded two flights in two cities before being arrested as he was preparing to board a third flight in Memphis.

Airport officials were baffled as to how Barry Burnstein's gun managed to slip by security personnel.

This is not an isolated case.

Terrorists may have shot passenger on September 11

The previous issue of *The Gun Owners* reported on how a Tennessee man with a handgun in his pocket walked through a metal detector at Atlanta's Hartsfield Airport undetected in late September.

And a federal investigator in southern Florida conducted his own security test and was able to carry three knives



GOA Director of Communications Erich Pratt (right) meets with Rep. Hostettler (R-IN) who is spearheading efforts in Congress to get the Transportation Department to quickly implement the armed pilots law.

through a passenger checkpoint without anyone detecting the weapons.

None of this, however, compares with the shocker that *USA Today* read-

ers saw on February 28. The paper reported that the September terrorists might have smuggled at least one gun

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Smith Bill

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26 out of 32 cities and counties which brought suits against gun makers.

In a similar development, courts in both Louisiana and Georgia have thrown out *statutes* barring anti-gun suits. Thumbing his nose at the state legislature, Louisiana Civil District Judge Lloyd Medley, Jr., ruled: "[T]his court believes the retroactivity of this law [banning gun suits] is designed to eliminate this lawsuit for the immediate benefit of a certain class of private citizens, not the general public welfare."

Smith bill to punish terror tactics of gun haters

In order to try to bring an end to Handgun Control's slimy strategy, Senator Bob Smith (R-NH) has introduced legislation requiring cities which bring

anti-gun harassment suits to pay the legal fees of the gun makers they are attempting to bankrupt.

The Smith bill, S. 1996, would also limit the ability of cities to pay millions — or even *billions* — of dollars to slick attorneys who attempt to destroy gun makers in the expectation of sharing a major portion of the bounty. Thus, attorneys' fees would generally be limited to an exorbitant \$150 per hour.

The Smith bill would apply only to "harassment suits" attempting to bankrupt gun makers and dealers by demanding large sums of money (over \$1 million) or small sums of money which would nevertheless overwhelm a small gun maker or gun dealer.

House bill would ban frivolous lawsuits

The bill is similar in objective to H.R. 1966, introduced in the House by Indiana Congressman John Hostettler

on May 23, 2001, with six original cosponsors. The Hostettler approach would ban the frivolous lawsuits, but would not provide for attorneys' caps or legal fees.

Smith's immediate strategy is to attempt to secure a large number of pro-gun cosponsors before offering his proposal as an amendment to a must-pass bill.

Said Smith: "It's do-or-die. If we are not successful in shutting down this small group of liberal elitists, they could well succeed in destroying our Second Amendment rights."

Larry Pratt, Executive Director of Gun Owners of America, echoed Smith's sentiments. "There is no more important priority in this session of Congress than bringing this harassment to an end," said Pratt. "If Smith is not successful in doing this, the entire Second Amendment community will pay a terrible price." ■

Texas Man Loses Gun Rights Over Foreign Conviction – Gun Owners Foundation Assists Gun Owner

by John Velleco

One evening in March of 1998, Thomas L. Bean finished up another exhausting day working a gun show in Laredo, Texas.

Hungry and looking forward to dinner across the border in Mexico, Mr. Bean directed his three assistants to empty his Chevy Suburban of all firearms and ammunition.

The fact that his helpers inadvertently left a box of ammunition in plain view in the back of the vehicle is not in dispute. But what has happened to Mr. Bean in the intervening months and years has caused his case to make the winding and twisting legal journey all the way to the U.S. Supreme Court.

Mexican customs officers stopped Thomas Bean, a federally licensed firearms dealer, at the border in Nuevo Laredo, Tamaulipas, Mexico. After letting his assistants go free, they arrested Mr. Bean, as owner of the vehicle, and charged him with carrying ammunition into Mexico.

At the time, the 'crime' for which Mr. Bean was charged was a felony under Mexican law, and the sixty-year-old father of two adult children was convicted and sentenced to five years imprisonment.

Seven months in jail for a box of ammo

Thomas Bean spent six months in a Mexican jail before being released to U. S. custody under the International Prisoner Transfer Treaty. Once in U.S. custody, he spent an additional month in a federal prison.

Seven months into the harrowing ordeal, Mr. Bean was finally released, albeit under supervision. However, the nightmare for Mr. Bean was far from over.

Under U.S. law, as a convicted felon, Bean lost all rights to possess firearms (even though the felony was under



Gun Owners Foundation is helping Tom Bean get his rights restored by assisting him in his case before the U.S. Supreme Court.

Mexico's laws). Mr. Bean lost not only his firearms rights, but part of his livelihood as well.

While convicted felons are prohibit-



Tom Bean was arrested on the Mexico side of the border for inadvertently leaving one box of ammo in his truck. He spent a full seven months in jail for that indiscretion.

ed from gun ownership, there is a provision in federal law to allow such people to petition the Bureau of Alcohol,

Tobacco and Firearms (BATF) for a restoration of their rights.

The law goes on to state that any person who is denied a restoration of rights by the BATF may appeal to the appropriate U. S. District Court. This safety valve is there for the express purpose of preventing a "miscarriage of justice."

BATF prohibited from restoring Second Amendment rights

Upon appealing to the BATF, Mr. Bean learned that, since 1992, Congress has *prohibited* the BATF from acting on this provision by denying any funds to the program. Congress, Mr. Bean was informed by letter, expressly prohibited the BATF from prosecuting his case.

Mr. Bean took his case to the next level: the U. S. District Court for the Eastern District of Texas.

The court heard the case and decided, not surprisingly, that Mr. Bean should have his Second Amendment rights restored.

Furthermore, the Court maintained that it had jurisdiction in this matter because Mr. Bean did, in fact, go through the proper channel (the BATF) before going to the Court.

Federal prosecutors disagreed and appealed the case on the grounds that a District Court can only hear such a case if the BATF *denies* a restoration of rights. The government argued that, in the case of Mr. Bean, the BATF's *failure* to act did not constitute a denial.

Mr. Bean's case became one primarily of jurisdiction between branches of the federal government. Since Congress prohibits the BATF from restoring Second Amendment rights to any convicted felon, do such persons have *any*

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Rep. Chip Pickering (R-MS) introduced an amendment to protect the right of Second Amendment organizations like GOA to criticize elected officials.

House Votes to Squelch Your Gun Rights

A. Denying the individual right to keep and bear arms. On February 13, 2002, the House of Representatives turned the Bill of Rights on its head. The House rejected, by a 219 to 209 vote, a pro-gun amendment offered by Mississippi Republican Charles W. “Chip” Pickering. The Pickering amendment would have: 1. Exempted Second Amendment groups from the draconian provisions of the Incumbent Protection Bill (see vote B); 2. Emphasized the importance of firearms for self-protection; and 3. Found that the Second Amendment is an “individual” right which is not just applicable to the National Guard. A vote against the Pickering amendment was a vote to limit the Second Amendment to the organized National Guard. By contrast, a vote in favor of the amendment was a pro-gun vote and is listed as a “+”.

B. Squelching the voice of pro-gun advocates. On February 14, 2002, the House passed the Incumbent Protection Bill, which has erroneously been billed as campaign finance reform, by a vote of 240 to 189. H.R. 2356 would enlarge the power of sitting legislators by attempting to silence outside groups such as Gun Owners of America. It would do this by requiring GOA to report certain legislative advocacy as “electioneering communications,” if such messages were made within 60 days of an election. For groups like Gun Owners, to engage in speech that is classified as “electioneering” would threaten their tax status, and by extension, would threaten to eliminate them for merely criticizing a politician’s record. A vote against the bill was a pro-gun vote and is listed as a “+”.

KEY:	+ Pro-gun vote
	- Anti-gun vote
	X Not voting

			A	B
— Alaska				
Young	Don	1	R	+ +
— Alabama				
Callahan	Sonny	1	R	+ +
Everett	Terry	2	R	+ +
Riley	Bob	3	R	X X
Aderholt	Bob	4	R	+ +
Cramer	Bud	5	D	+ -
Bachus	Spencer	6	R	+ +
Hilliard	Earl	7	D	+ +
— Arkansas				
Berry	Marion	1	D	- -
Snyder	Vic	2	D	- -
Bozman	John	3	R	+ +
Ross	Mike	4	D	+ -
— Arizona				
Flake	Jeff	1	R	+ +
Pastor	Ed	2	D	- -
Stump	Bob	3	R	+ +
Shadegg	John	4	R	+ +
Kolbe	Jim	5	R	+ +
Hayworth	J.D.	6	R	+ +
— California				
Thompson	Mike	1	D	- -
Herger	Wally	2	R	+ +
Osc	Doug	3	R	- -
Doolittle	John	4	R	+ +
Matsu	Robert	5	D	- -
Woolsey	Lynn	7	D	- -
Miller	George	8	D	- -
Pelosi	Nancy	9	D	- -
Lee	Barbara	10	D	- -
Tauscher	Ellen	11	D	- -
Pombo	Richard	11	R	+ +
Lantos	Tom	12	D	- -
Stark	Pete	13	D	- -
Eshoo	Anna	14	D	- -
Honda	Michael	15	D	- -
Lofgren	Zoe	16	D	- -
Farr	Sam	17	D	- -
Condit	Gary	18	D	- -
Radanovich	George	19	R	+ +
Dooley	Calvin	20	D	- -
Thomas	William	21	R	+ +
Capps	Lois	22	D	- -
Gallegly	Elton	23	R	+ +
Sherman	Brad	24	D	- -
McKeon	Howard	25	R	+ +
Berman	Howard	26	D	- -
Schiff	Adam	27	D	- -
Dreier	David	28	R	+ +
Waxman	Henry	29	D	- -
Becerra	Xavier	30	D	- -
Holcs	Hilda	31	D	- -
Watson	Diane	32	D	- -
Roybal-Allard	Lucille	33	D	- -
Napolitano	Grace	34	D	- -
Waters	Maxine	35	D	- -
Harman	Jane	36	D	- -
Millender-McDonald	Juanita	37	D	- -

			A	B
Horn	Steve	38	R	- -
Royce	Ed	39	R	+ +
Lewis	Jerry	40	R	+ +
Miller	Gary	41	R	+ +
Baca	Joe	42	D	- -
Calvert	Ken	43	R	+ +
Bono	Mary	44	R	+ +
Rohrabacher	Dana	45	R	+ +
Sanchez	Loretta	46	D	- -
Cox	Christopher	47	R	+ +
Issa	Darrell	48	R	+ +
Davis	Susan	49	D	- -
Filner	Bob	50	D	- -
Cunningham	Randy	51	R	+ +
Hunter	Duncan	52	R	+ +
— Colorado				
DeGette	Diana	1	D	- -
Udall	Mark	2	D	- -
McInnis	Scott	3	R	+ +
Schaffer	Bob	4	R	+ +
Hefley	Joel	5	R	+ +
Tancredo	Tom	6	R	+ +
— Connecticut				
Larson	John	1	D	- -
Simmons	Robert	2	R	+ +
DeLauro	Rosa	3	D	- -
Shays	Christopher	4	R	- -
Maloney	James	5	D	- -
Johnson	Nancy	6	R	- -
— Delaware				
Castle	Michael	1	R	- -
— Florida				
Miller	Jeff	1	R	+ +
Boyd	Allen	2	D	+ -
Brown	Corrine	3	D	- -
Crenshaw	Ander	4	R	+ +
Thurman	Karen	5	D	- -
Stearns	Cliff	6	R	+ +
Mica	John	7	R	+ +
Keller	Ric	8	R	+ +
Bilirakis	Michael	9	R	+ +
Young	C. W.	10	R	+ +
Davis	Jim	11	D	- -
Putnam	Adam	12	R	+ +
Miller	Dan	13	R	+ +
Goss	Porter	14	R	+ +
Weldon	Dave	15	R	+ +
Foley	Mark	16	R	- -
Meek	Carrie	17	D	- -
Ros-Lehtinen	Ileana	18	R	+ +
Wexler	Robert	19	D	- -
Deutsch	Peter	20	D	- -
Diaz-Balart	Lincoln	21	R	+ +
Shaw	E. Clay	22	R	+ +
Hastings	Alcee	23	D	- -
— Georgia				
Kingston	Jack	1	R	+ +
Bishop	Sanford	2	D	+ -
Collins	Mac	3	R	+ +

			A	B
McKinney	Cynthia	4	D	- -
Lewis	John	5	D	- -
Isakson	Johnny	6	R	+ +
Barr	Bob	7	R	+ +
Chambliss	Saxby	8	R	+ +
Deal	Nathan	9	R	+ +
Norwood	Charlie	10	R	+ +
Linder	John	11	R	+ +
— Hawaii				
Abercrombie	Neil	1	D	- -
Mink	Patsy	2	D	- -
— Iowa				
Leach	Jim	1	R	- -
Nussle	Jim	2	R	+ +
Boswell	Leonard	3	D	+ -
Ganske	Greg	4	R	+ +
Latham	Tom	5	R	+ +
— Idaho				
Otter	C.L.	1	R	+ +
Simpson	Mike	2	R	+ +
— Illinois				
Rush	Bobby	1	D	- -
Jackson	Jesse	2	D	- -
Lipinski	William	3	D	- +
Gutierrez	Luis	4	D	- -
Blagojevich	Rod	5	D	- -
Hyde	Henry	7	R	+ +
Davis	Danny	7	D	- -
Crane	Phillip	8	R	+ +
Schakowsky	Janice	9	D	- -
Kirk	Mark	10	R	- -
Weller	Jerry	11	R	+ +
Costello	Jerry	12	D	- -
Biggart	Judy	13	R	+ +
Hastert	Dennis	14	R	+ +
Johnson	Timothy	15	R	+ +
Manzullo	Donald	16	R	+ +
Evans	Lane	17	D	- -
LaHood	Ray	18	R	+ +
Phelps	David	19	D	+ -
Shimkus	John	20	R	+ +
— Indiana				
Visclosky	Peter	1	D	- -
Pence	Mike	2	R	+ +
Roemer	Tim	3	D	- -
Souder	Mark	4	R	+ +
Buyer	Steve	5	R	+ +
Burton	Dan	6	R	+ +
Kerns	Brian	7	R	+ +
Hostettler	John	8	R	+ +
Hill	Baron	9	D	- -
Carson	Julia	10	D	- -
— Kansas				
Moran	Jerry	1	R	+ +
Ryun	Jim	2	R	+ +
Moore	Dennis	3	D	- -
Tiahrt	Todd	4	R	+ +

				A	B					A	B								
— Kentucky						Menendez Robert 13				D	-								
Whitfield	Ed	1	R + +			— New Mexico						Doyle	Mike	18	D	-			
Lewis	Ron	2	R + +			Wilson	Heather	1	R	+	+	Platts	Todd	19	R	-	-		
Northup	Anne	3	D - +			Skeen	Joe	2	R	+	+	Mascara	Frank	20	D	-	-		
Lucas	Ken	4	R - +			Udall	Tom	3	D	-	-	English	Phil	21	R	+	+		
Rogers	Harold	5	R + +			— Nevada						— Rhode Island							
Flechter	Ernie	6	R + +			Berkley	Shelley	1	D	-	-	Kennedy	Patrick	1	D	-	-		
— Louisiana						Gibbons	Jim	2	R	+	+	Langevin	Jim	2	D	-	-		
Vitter	David	1	R	+	+	— New York						— South Carolina							
Jefferson	William	2	D	-	-	Grucci	Felix	1	R	-	-	Brown	Henry	1	R	+	+		
Tauzin	W.J.	3	R	+	+	Israel	Steven	2	D	-	-	Wilson	Joe	2	R	+	+		
McCreey	Jim	4	R	+	+	King	Peter	3	R	+	+	Graham	Lindsey	3	R	+	+		
Cooksey	John	5	R	+	+	McCarthy	Carolyn	4	D	-	-	DeMint	Jim	4	R	+	+		
Baker	Richard	6	R	+	+	Ackerman	Gary	5	D	-	-	Spratt	John	5	D	-	-		
John	Chris	7	D	+	-	Meeks	Gregory	6	D	-	-	Clyburn	James	6	D	-	-		
— Massachusetts						Crowley	Joseph	7	D	-	-	— South Dakota							
Olver	John	1	D	-	-	Nadler	Jerrold	8	D	-	-	Thune	John	1	R	-	-		
Neal	Richard	2	D	-	-	Weiner	Anthony	9	D	-	-	— Tennessee							
McGovern	James	3	D	-	-	Towns	Edolphus	10	D	-	-	Jenkins	William	1	R	+	+		
Frank	Barney	4	D	-	-	Owens	Major	11	D	-	-	Duncan	John	2	R	+	+		
Meehan	Martin	5	D	-	-	Velazquez	Nydia	12	D	-	-	Wamp	Zach	3	R	-	-		
Tierney	John	6	D	-	-	Fossella	Vito	13	R	+	+	Hilleary	Van	4	R	+	+		
Markey	Edward	7	D	-	-	Maloney	Carolyn	14	D	-	-	Clement	Bob	5	D	-	-		
Capuano	Michael	8	D	-	-	Rangel	Charles	15	D	-	-	Gordon	Bart	6	D	+	+		
Lynch	John	9	D	-	-	Serrano	Jose	16	D	-	-	Bryant	Ed	7	R	+	+		
Delahunt	William	10	D	-	-	Engel	Eliot	17	D	-	-	Tanner	John	8	D	+	+		
— Maryland						Lowey	Nita	18	D	-	-	Ford	Harold	9	D	-	-		
Gilchrest	Wayne	1	R	-	-	Kelly	Sue	19	R	+	+	— Texas							
Ehrlich	Robert	2	R	+	+	Gilman	Benjamin	20	D	-	-	Sandlin	Max	1	D	-	-		
Cardin	Benjamin	3	D	-	-	McNulty	Michael	21	D	-	-	Turner	Jim	2	D	-	-		
Wynn	Albert	4	D	-	-	Sweeney	John	22	R	+	+	Johnson	Sam	3	R	+	+		
Hoyer	Steny	5	D	-	-	Boehler	Sherwood	23	R	-	-	Hall	Ralph	4	D	+	+		
Bartlett	Roscoe	6	R	+	+	McHugh	John	24	R	+	+	Sessions	Pete	5	R	+	+		
Cummings	Elijah	7	D	-	-	Walsh	James	25	R	-	-	Barton	Joe	6	R	+	+		
Morella	Constance	8	R	-	-	Hinchee	Maurice	26	D	-	-	Culbertson	John	7	R	+	+		
— Maine						Reynolds	Thomas	27	D	+	+	Brady	Kevin	8	R	X	X		
Allen	Thomas	1	D	-	-	Slaughter	Louise	28	D	-	-	Lampson	Nick	9	D	-	-		
Baldacci	John	2	D	-	-	LaFale	John	29	D	-	-	Doggett	Lloyd	10	D	-	-		
— Michigan						Quinn	Jack	30	R	-	-	Edwards	Chet	11	D	-	-		
Stupak	Bart	1	D	-	-	Houghton	Amo	31	R	-	-	Granger	Kay	12	R	+	+		
Hoekstra	Peter	2	R	+	+	— North Carolina						Thornberry	Mac	13	R	+	+		
Ehlers	Vernon	3	R	-	-	Clayton	Eva	1	D	-	-	Paul	Ron	14	R	+	+		
Camp	Dave	4	D	+	+	Etheridge	Bob	2	D	-	-	Hinojosa	Ruben	15	D	-	-		
Barcia	James	5	R	+	+	Jones	Walter	3	R	+	+	Reyes	Silvestre	16	D	-	-		
Upton	Fred	6	R	+	+	Price	David	4	R	+	+	Stenholm	Charles	17	D	-	-		
Smith	Nick	7	R	-	-	Burr	Richard	5	R	+	+	Jackson-Lee	Sheila	18	D	-	-		
Rogers	Mike	8	R	+	+	Coble	Howard	6	R	+	+	Combest	Larry	19	D	+	+		
Kilfee	Dale	9	D	-	-	McIntyre	Mike	7	R	+	+	Gonzalez	Charles	20	D	-	-		
Bonior	David	10	D	-	-	Hayes	Robin	8	R	+	+	Smith	Lamar	21	R	+	+		
Knollenberg	Joe	11	R	+	+	Merrick	Sue	9	R	+	+	DeLay	Tom	22	R	+	+		
Levin	Sander	12	D	-	-	Ballenger	Cass	10	R	+	+	Bonilla	Henry	23	R	+	+		
Rivers	Lynn	13	D	-	-	Taylor	Charles	11	R	+	+	Frost	Martin	24	D	-	-		
Conyers	John	14	D	-	-	Watt	Melvin	12	D	-	-	Bentsen	Ken	25	D	-	-		
Kilpatrick	Carolyn	15	D	-	-	— North Dakota						Armedy	Dick	26	R	+	+		
Dingell	John	16	D	-	-	Pomeroy	Earl	1	D	-	-	Ortiz	Solomon	27	D	-	-		
— Minnesota						— Ohio						Rodriguez	Ciro	28	D	-	-		
Gutknecht	Gil	1	R	+	+	Chabot	Steve	1	R	+	+	Green	Gene	29	D	-	-		
Kennedy	Mark	2	R	+	+	Portman	Rob	2	R	+	+	Johnson	Eddie	30	D	-	-		
Ramstad	Jim	3	D	-	-	Hall	Tony	3	D	-	-	— Utah							
McCollum	Betty	4	D	-	-	Oxley	Michael	4	R	+	+	Hansen	James	1	R	+	+		
Sabo	Martin	5	D	-	-	Gillmor	Paul	5	R	+	+	Matheson	Jim	2	D	-	-		
Luther	Bill	6	D	-	-	Strickland	Ted	6	D	+	+	Cannon	Chris	3	R	+	+		
Peterson	Collin	7	D	+	+	Hobson	David	7	R	+	+	— Virginia							
Oberstar	James	8	D	-	-	Boehner	John	8	R	+	+	Davis	Jo Ann	1	R	+	+		
— Missouri						Kaptur	Marcy	9	D	-	-	Schrock	Edward	2	R	+	+		
Clay	William	1	D	-	-	Kucinich	Dennis	10	D	-	-	Scott	Robert	3	D	-	-		
Akin	W. Todd	2	R	+	+	Jones	Stephanie	11	D	-	-	Forbes	J. Randy	4	R	+	+		
Gephardt	Richard	3	D	-	-	Tiberi	Patrick	12	R	+	+	Goode	Virgil	5	I	+	+		
Skelton	Ike	4	D	-	-	Brown	Sherrod	13	D	-	-	Goodlatte	Robert	6	R	+	+		
McCarthy	Karen	5	D	-	-	Sawyer	Thomas	14	D	-	-	Cantor	Eric	7	R	+	+		
Graves	Samuel	6	R	+	+	Pryce	Deborah	15	R	+	+	Moran	James	8	D	-	-		
Blunt	Roy	7	R	+	+	Regula	Ralph	16	R	+	+	Boucher	Rick	9	D	X	+		
Emerson	Jo Ann	8	R	+	+	Trafant	James	17	D	X	X	Wolf	Frank	10	R	-	-		
Hulshof	Kenny	9	R	+	+	Ney	Bob	18	R	+	+	Davis	Tom	11	R	+	+		
— Mississippi						LaTourette	Steve	19	R	+	-	— Vermont							
Wicker	Roger	1	R	+	+	— Oklahoma						Sanders	Bernard	1	I	-	-		
Thompson	Bennie	2	D	-	-	Largent	Steve	1	R	+	+	— Washington							
Pickering	Charles	3	R	+	+	Carson	Brad	2	D	+	+	Inslee	Jay	1	D	-	-		
Shows	Ronnie	4	D	+	+	Watkins	Wes	3	R	+	+	Larsen	Rick	2	D	-	-		
Taylor	Gene	5	D	+	+	Watts	J.C.	4	R	+	+	Baird	Brian	3	D	-	-		
— Montana						Istook	Ernest	5	R	+	+	Hastings	Doc	4	R	+	+		
Rehberg	Dennis	1	R	+	+	Lucas	Frank	6	R	+	+	Nethercutt	George	5	R	+	+		
— Nebraska						— Oregon						Dicks	Norman	6	D	-	-		
Bereuter	Doug	1	R	+	-	Wu	David	1	D	-	-	McDermott	Jim	7	D	-	-		
Terry	Lee	2	R	+	+	Walden	Greg	2	R	+	+	Dunn	Jennifer	8	R	+	+		
Osborne	Tom	3	R	+	+	Blumenauer	Earl	3	D	-	-	Smith	Adam	9	D	-	-		
— New Hampshire						DeFazio	Peter	4	D	-	-	— Wisconsin							
Sununu	John	1	R	+	+	Hooley	Darlene	5	D	-	-	Ryan	Paul	1	R	+	+		
Bass	Charles	2	R	-	-	— Pennsylvania						Baldwin	Tammy	2	D	-	-		
— New Jersey						Brady	Robert	1	D	-	-	Kind	Ron	3	D	-	-		
Andrews	Robert	1	D	-	-	Fattah	Chaka	2	D	-	-	Klecza	Jerry	4	D	-	-		
LoBiondo	Frank	2	R	-	-	Borski	Robert	3	D	-	-	Barrett	Thomas	5	D	-	-		
Saxton	Jim	3	R	-	-	Hart	Melissa	4	R	+	+	Petri	Thomas	6	R	+	+		
Smith	Christopher	4	R	+	+	Peterson	John	5	D	+	+	Obey	David	7	D	-			

Implement Armed Pilot Law

Continued from page 2

onto American Airlines Flight 11 and shot a passenger before the plane crashed into the World Trade Center.

While this story has been disputed by some, *WorldNetDaily* produced a follow up report, citing one Federal Aviation Administration (FAA) official who swears that “nobody disputed” this account of the shooting before he left work on that horrendous day.

Regardless of whether the report is true, the fact remains that passengers were disarmed on September 11 and had little opportunity to resist. The millions of dollars spent on airline security equipment did not — and cannot — guarantee that planes will remain “weapons free.”

Now, this is not to suggest anyone who wants to sneak a weapon onto a plane is going to be successful. But it does underscore the importance of putting guns into the hands of good guys as soon as possible.

Armed pilots provision still waiting in the wings

So why aren't pilots carrying guns in the cockpits yet? That's the question that many people should be asking these days.

Gun Owners of America worked with Representatives and Senators last year to get an armed pilots provision passed after the terrorist skyjackings. In November, the President signed the legislation into law.

But there has yet to be a single pilot who has been allowed to carry a gun onto a commercial plane. So what's the hold-up?

The hold-up is this: the law requires the Transportation Department to approve a program for arming pilots. This approval requirement was a last-minute addition that was inserted into the aviation bill last year while it was in a conference committee. The original Senate and House language was much superior to the eleventh-hour rewrite.

Because of the change, several procedural hurdles now have to be cleared before pilots can start protecting their passengers and crews.

GOA submits comments to FAA

The first step in the process began in December, when the FAA posted questions in the Federal Register, asking Congress and the public to offer suggestions on how to implement the armed pilots law. The FAA is a subsidiary agency in the Transportation Department. GOA alerted its grassroots network and generated a substantial number of responses into the FAA. Reportedly, the agency has had to hire outside contractors to handle the deluge of comments. GOA also submitted its own comments in late January.



Transportation Secretary Norman Mineta opposes letting airline pilots use firearms to protect their crews and passengers.

On Capitol Hill, Rep. John Hostettler (R-IN) was very helpful in persuading several dozen Congressmen to submit a joint letter to the FAA in February.

Rep. Hostettler reaffirmed the overwhelming Congressional support for “arming of airline pilots with firearms” and made several recommendations for implementing the law.

GOA blasts anti-gun officials in the media

Despite the clear intent of Congress to arm pilots with real firearms, two highly placed officials in the Bush administration expressed their contempt for the Second Amendment and for the armed pilots language which the President signed into law last year.

The two officials were Transportation Secretary Norman Mineta, who had a GOA rating of F- when he served in Congress, and Homeland Security Director Tom Ridge, who is also no friend of gun owners.

Both men criticized the law and expressed their desire to see pilots use stun guns instead of real firearms in airplane cockpits.

Stun guns are much inferior devices because multiple attackers wearing

heavy clothing can easily overcome them. Plus, if an attacker is armed with a gun or knife, a stun gun's usefulness declines even more.

Appearing on several media outlets, GOA blasted Mineta and Ridge and called on President Bush to take these two officials to the “political woodshed.”

Mineta's comments are especially troubling since his department is charged with implementing the armed pilots language.

Majority of Americans and pilots favor guns in the cockpit

GOA communicated with the White House and pointed out that more than three-fourths of the American public support arming pilots with real guns, including an astounding 77 percent of those who otherwise support gun control.

Likewise, a February survey of the Air Line Pilots Association (ALPA) members found that 73 percent of pilots favor carrying firearms on board planes.

So here's the situation. Congress wants pilots to carry guns. The President approved the concept when he signed it into law. The American people support the idea. And pilots are demanding they be allowed to pack heat.

Everybody seems to like the idea, except the one man who can make it happen: Transportation Secretary Norman Mineta, the lone Democrat in the Bush administration.

If one year from now, pilots still aren't able to protect their passengers and crews with firearms, you will know who to blame.■

Fast Fact:

Security experts estimate it will take 120,000 sky marshals or more to cover the 30,000-plus daily flights in the United States, at a cost of \$10 billion per year. On September 11, there were a mere 32 marshals in the air, which was down from its all-time high of about 2,000.

Source: Ricardo Alonso-Zaldivar, "The Nation; Air Marshals' Future Full of Questions," Los Angeles Times (January 14, 2001).

Texas Man Loses Gun Right

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recourse in the courts to have their rights restored?

The case was brought before the Fifth Circuit Court of Appeals, which, in June of 2001, also ruled in favor of Mr. Bean.

In its ruling, the Court noted that, “when the BATF notified Bean that it would not act on his petition, his administrative remedies *de facto* were exhausted.”

Although Thomas Bean won in the District and Appellate Courts, the federal government appealed yet again, this time to the U.S. Supreme Court.

Bean’s case goes to the Supreme Court

In January, the Supreme Court agreed to hear the government’s case. The matter should come before the Court for oral arguments later this spring.

Under the direction of Solicitor General Theodore B. Olson, the United States government will argue that the federal courts should not have jurisdiction to restore the Second Amendment rights of Thomas Bean or any other person in similar circumstances.

In his petition to the Supreme Court, Mr. Olson claims that “Congress did not suspend [B]ATF’s authority to grant relief from firearms disabilities only to have district courts assume that role.”

Should the Court rule in favor of the government, persons convicted of felonies, regardless of the facts of the case, would have no venue in which to have their case reviewed and their rights restored.

Thomas L. Bean was convicted of a felony in a *foreign* country. Mexico, incidentally, has since the time of the Bean conviction reduced that particular offense to a misdemeanor.

In the words of the Fifth Circuit Court, Mr. Bean “served months in Mexican and U.S. prisons for a simple oversight.”

In addition, he has suffered the indignity and stigma of coming before two separate courts in an effort to simply regain the ability to conduct his business; yet, his own government is pulling out all the stops against him.

Gun Owners Foundation, standing in full support of Mr. Bean, has established the *Thomas L. Bean Legal Assistance Fund*. We need the help of all concerned gun owners.

Checks can be made out to: Gun Owners Foundation and sent to 8001 Forbes Place, Suite 102, Springfield, VA 22151.

Please write “Thomas Bean” on the memo line. Every penny will go directly to the legal assistance of Thomas Bean.

Gun Owners Foundation is a charitable organization and contributions are tax deductible to the fullest extent of the law.■

Media Blind to Guns

Continued from page 8

Gross were armed.

On the NBC *Nightly News* (1/16/02), Tom Brokaw noted, in part, that Virginia State Police were crediting law students at ASL “for preventing further loss of life, saying they overpowered the gunman and held him until police arrived.” That’s it. No mention that two of these students were armed.

The CBS *Evening News* (1/16/02) noted only that “students tackled the suspect.” Again, no mention of any students being armed. And Public TV’s *NewsHour* (1/16/02) said nothing about students doing anything reporting only that “the suspect was captured.”

In a lengthy interview on CBS’ *Early Show* (1/17/02), co-host Bryant Gumbel spoke with several people — including Tracy Bridges — regarding the ASL murders. All Gumbel said was that Bridges was among a group of students “who took the gunman down,” who “helped pin him down.” No mention of Bridges having a gun.

To his credit, on NBC’s *Today* show (1/17/02), Bridges, though not asked, of course, noted that he (Bridges) “got out



Bryant Gumbel neglected to tell his viewers on CBS’ *Early Show* that it was two armed students who stopped a gunman from killing more people.

my handgun, and started to approach [the murderer]. At that time, [the murderer] threw up his hands and threw his weapon down.”

In a story of almost 1000 words on the ASL murders, the rabidly anti-gun *Washington Post* (1/18/02) reported that

“three students pounced on the gunman and held him down until help arrived.” The “Post” noted that Bridges and Gross “helped subdue [the murderer] until sheriff’s deputies arrived.” No mention that Bridges and Gross were armed.

So, the moral of this story is so obvious that it ought to be clear even to a University President like Bernie Machen in Utah. The moral: More guns, less crime. In this case, the more people who had guns at the ASL that tragic day, and knew how to use them, the less people who were murdered. And the same thing will be true at the University of Utah if they ever have a murderous gunman on their campus.

The *Charlotte Observer* (1/18/02) quotes Mikael Gross as saying, after he and others headed into the ASL administration building to help those who had been shot: “There was blood everywhere. It looked like somebody had mopped the floor with blood.”

But — thank God — a lot *less* blood was shed at the ASL than might have been shed thanks to the fact that two courageous students were armed and knew how to use their guns.■



Media Blind to Guns Used to Stop School Killer

by Larry Pratt

Bernie Machen, President of the University of Utah in Salt Lake City, says he's willing to go to court, if necessary, to defend his school's campus gun ban. And he says this despite the fact that state Attorney General Mark Shurtleff has issued a

legal opinion asserting that such a campus gun-ban would violate the state's concealed-weapons law.

President Machen does not get it. Having people on campus with guns, people who know how to use guns, will actually *save* lives. A recent case-in-point involves the man who shot six people — murdering three of them — on the campus of the Appalachian School Of Law (ASL) in Grundy, Virginia.

In mid-January, a disgruntled student at ASL, Peter Odighizuwa, opened fire on campus wounding three people and murdering three others — the school's Dean, a law professor and a student.

As reported in *The Charlotte Observer* newspaper (1/18/2002), two men who helped bring the murderer under control were ASL students Mikael Gross and Tracy Bridges, both North Carolina law enforcement officers. The *Observer* says, in part:

Gross ran to his car, parked about 100 yards away, without dropping the gunman from his sight, grabbed his bullet-proof vest from his trunk and a gun from under his front seat. While the man pointed his gun at fellow students, Gross and two others ran toward him from different directions. One of the others was Tracy Bridges...who also had his gun, Gross said. When the gunman saw them, Gross said, he put his weapon down and his hands up. The third man, Ted Besen...was not armed and ordered the gunman onto the ground. Instead, the gunman lunged at Besen and punched him in the face.

Now, notice the difference here, please, President Machen. When the murderer was confronted by the man with no gun, he ignored him. The murderer punched him in the face. But, when the murderer was confronted by the two men with guns, the murderer put his gun down and surrendered.

In an interview, Tracy Bridges tells us that he was told by a Virginia State Police investigator that when the murderer was stopped by himself and Gross "[the murderer] was going back to his car to get more ammunition."

And yes, Bridges says, if he (Bridges) had been carrying his weapon — instead of having to go to his car to get it — he probably

could have stopped the murderer earlier since "he (Bridges) was in a classroom across from where the first professor was killed." Bridges says the gun he used to force the surrender of the murderer was a Ruger Speed Six, an old .357 revolver; the gun Gross had was a Beretta.

Bridges says he wasn't carrying his weapon and had to go to his car to get it because he is from out-of-state and had not gone through the procedure required to carry it. He says that this procedure "is rather expensive for a law student." And yes, he says he has, indeed, had second thoughts about going through this procedure now so he can carry his gun.

Now, all of this may be news to you because the media has widely ignored the fact that the students who forced the murderer to surrender were armed.

James Eaves-Johnson, writing in the *Daily Iowan* newspaper (1/24/2002), reports that a Lexis-Nexis search revealed 88 stories about the ASL murders and only two mentioned Bridges and Gross were armed. A Westnews search exposed worse results. It revealed 112 stories on the murders, of which only two mentioned that Bridges and

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Fast Fact:

Twice as many children are killed playing football in school as are killed by guns. Eighteen football players died during the school year ending in June, 2000 (from hits to the head, heat stroke, etc.), as compared with 9 students by firearms.

Source: David Williamson, "New study finds 18 football players died in 1999 season, eight paralyzed," University of North Carolina at Chapel Hill (August 14, 2000). For school firearms deaths, see Dr. Ronald D. Stephens, "School Associated Violent Deaths," The National School Safety Center Report (September 22, 2000).

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