



# *The Firing Line*

February 2013

## **What's New on the Firing Line:**

The first meeting of the Nevada Firearms Coalition will be held on Saturday, February 23 at the Clark County Shooting Complex.

### **AGENDA** **1<sup>st</sup> ANNUAL MEMBERS MEETING** February 23, 2013 Clark County Shooting Complex

#### 0700 a.m. to 1200 p.m.

- Optional rifle, pistol and shotgun shooting at ranges. Not NVFAC activity.

#### 1200 p.m. to 1245 p.m.

- Luncheon in multi-purpose room, Shotgun Center, Clark County Shooting Complex. Sandwiches and sodas hosted by NVFAC.

#### 1 p.m.

#### **Members meeting, Multi-purpose Room. Shotgun Center**

- Call to Order
- Guest Speaker, Former State Senator John Lee (chair of shooting park citizen advisory board, recipient of NRA and NSSF awards, NVFAC endorsed for mayor of North Las Vegas)
- Board of Directors Annual Reports (if any Director is absent, a written report will be provided)

Don Turner, President  
Bob Irwin, Vice President  
Randy Mackie, Vice President Legislative Affairs  
Megan Ferrante, Secretary  
Joe Luby, Treasurer  
Eric McGovern, Southern Area  
Larry Rhodes, Northwest Area  
Clyde Drake, Northeast Area  
Greg Ferrante, Communications

Jon White, Competitions  
John J. Bebirian, Education & Training  
Gordon H. Warren, Conservation

- No old business, first meeting
- New Business  
“Secretary Megan will have an ID card laminator, and NVFAC will laminate member’s instructor or other cards as a service to the membership.”No action items proposed.  
Discussion of 2013 legislative year and future activities of the Coalition
- Members Comments
- Adjourn

**Competition Division:**

NVFAC is now a member of the Civilian Marksmanship Program. Our Competitions Director has been meeting with Nevada Gun Clubs to host the state championships and CMP matches.

**Legislative Affairs Division:**

The Nevada Firearms Coalition is pleased to announce that Nevada’s gun owners have a professional lobbying presence during a legislative session. The Coalition has retained the services of Grassroots 2.0, a Reno-based lobbying firm, to represent the interests of the state’s law-abiding gun owners before the Nevada legislature’s 77<sup>th</sup> session. Grassroots 2.0 will supplement the efforts of the Legislative Division to protect the rights of the state’s law-abiding gun owners, and to help us focus efforts and marshal support for our legislative goals.

The Coalition’s main goals this session are:

1. Elimination of Clark County’s Handgun registration program and the destruction of their handgun registration records (NVFAC-supported firearms law pre-emption BDR)
2. Elimination of Las Vegas, North Las Vegas, Henderson, Boulder City and Mesquite gun codes (NVFAC-supported firearms law pre-emption BDR)
3. Civil lawsuit protection for use of firearms in justified self-defense (NVFAC-supported AB 70, Castle Doctrine Bill)
4. Allow CFP holders to carry on college campuses (NVFAC-supported AB 143, Campus Carry Bill)
5. Allow federal firearms licensees to do background checks direct with NICS and not pay extra fees
6. Eliminate the Nevada Sheriffs and Chief Association from the CFP process
7. Support other bills which support our goals and priorities

These goals translate into our legislative priorities for the 77th Session of the Nevada Legislature:

1. No magazine size restrictions
2. No additional restrictions on existing legal firearms
3. No additional restrictions on possession, use, transportation, etc., of firearms, especially without due process and proper judicial determination of a legal Second Amendment disability
4. No registration of firearms owners, or their firearms
5. No increase in background checks for private firearms sales or transfers
6. No increases in regulations for gun shows
7. State-sponsored study of cause/relationship between gun violence and mental health
8. State-sponsored study of cause/relationship between gun violence and mood-altering drugs, including physician-prescribed psychotropic drug use by K-12 and post-secondary students
9. State-sponsored study of cause/relationship between gun violence and video games

With the help and support of our membership and Nevada's law-abiding gun owners, we will achieve these goals and priorities, and lay a solid foundation to carry on the fight for as long as our rights are threatened.

Our legislative strategy depends on Coalition members and Nevada gun owners enlisting in the fight to protect our gun rights. Every NVFAC member and gun owner is encouraged to personally contact their elected representatives by mail, e-mail and telephone and to give testimony at legislative hearings, as well as to urge their like-minded friends and acquaintances to do the same. By fighting together, we win. By leaving it to another to help carry the load, we lose! It is that simple. Now is the time for action!

**Legislative Affairs Division (Cont):**

Dear NVFAC Member,

U. S. Senator Dianne Feinstein (D-CA) has introduced Senate Bill 150 (S-150). This is the Assault Weapon Ban of 1994 on steroids. If enacted into law, this bill will effectively ban most semi-automatic rifles, many semi-automatic pistols and many semi-automatic shotguns, and establish a universal background check, which is really a Trojan Horse for universal firearms registration – and eventual confiscation.

Among its specific provisions are banning the sale, transfer, importation, or manufacture of:

- 120 specifically-named firearms
- Certain other semi-automatic rifles, handguns, shotguns that can accept a detachable magazine and have one or more military characteristics; and
- Semi-automatic rifles and handguns with a fixed magazine that can accept more than 10 rounds

- Any semi-automatic version of a fully-automatic or select-fire military assault rifle

The 120 firearms named in the bill include many common firearms used for sport, hunting, and personal protection. Also, having one or more military characteristics could mean many things: a rail for laser or light, pistol grip, collapsible stock, or any other appearance Senator Feinstein felt intimidated by when she was reviewing photographs of firearms to see what she wanted to ban.

The bill also builds on the 1994 Assault Weapons Ban and various state bans by:

- Moving from a 2-characteristic test to a 1-characteristic test to determine “assault weapon” status
- eliminating the easy-to-remove bayonet mounts and flash suppressors from the characteristics test; and
- Banning firearms with "thumb-hole stocks" and "bullet buttons" to address so-called “attempts to work around" prior bans

Many of the firearms with thumb-hole stocks are bolt-action hunting or target-shooting rifles designed to be as accurate as possible. Ironically, Democrats and liberals have widely and loudly proclaimed for years that hunting and target-shooting rifles would never be threatened. So much for that promise!

The new Feinstein bill goes on to:

- Ban large-capacity ammunition feeding devices capable of accepting more than 10 rounds.
- Require that grandfathered “assault weapons” be registered under the National Firearms Act, including:
  - a background check of owner and any transferee;
  - type and serial number of the firearm;
  - positive identification, including photograph and fingerprint;
  - certification from local law enforcement of identity and that possession would not violate state or local law; and
  - dedicated funding for ATF to implement registration of “assault weapons”

This last item, dedicated funding for ATF to implement registration coupled with a universal background check on firearms purchases, will lead to universal registration of firearms owned by law-abiding Americans, something that has been on the liberal wish-list for decades, and which Second Amendment guardians in Congress have stopped for years. It will also set the stage for the confiscation of those lawfully-owned firearms when the government finds an excuse to do so.

The legislation also mandates that for grandfathered semi-automatic “assault weapons” to be legally transferred, the transfer must go through a licensed dealer, who will treat it like an original sale. This means background checks and transfer/background check fees, and ultimately registration, will apply to all transfers, even those between family members.

In other words, if you already own one of these firearms, you would need to take the above steps to legally keep it or transfer it, because the new assault weapon ban would treat them as Class III (fully automatic) firearms.

There are other anti-gun rights bills being introduced in Congress. A partial list at the time of this writing includes:

- H.R. 138 would ban transfer or possession of standard-capacity magazines, targeting those that hold more than 10 rounds.
- H.R. 142 would ban Internet or mail order ammunition purchases, require a federal license for all ammunition sellers and mandate reporting of "bulk" ammo purchases.
- H.R. 21 would ban all private firearms transfers.
- H.R. 34 & H.R. 117 are both gun registration bills over-riding long standing protections of gun owner privacy.

Aside from being a blatant attack on a fundamental, basic right of American citizenship, and one that is singled out in the Bill of Rights for specific protection from the government, the great irony of the situation is that the Assault Weapons Ban of 2013 is aimed at the precise kind of firearms that the Second Amendment protects – those suitable for use by a militia. Just as First Amendment protections go beyond the quill pens and parchment in common use in the Founding era, the Second Amendment goes beyond the flintlock muskets and early carbines of that time to encompass the standard military side arms of today. No serious, sincere and objective student of the question can deny that semi-automatic rifles, and especially those with military characteristics that Senator Feinstein wants to ban, are the very firearms the Second Amendment protects.

We urge our members and friends of liberty to contact your federal representatives and senators and tell them you expect them to protect your constitutional right to arms, and that you oppose any efforts to ban semi-automatic firearms, high-capacity magazines, and any attempts to impose a universal background check. In particular, ask them to oppose S-150 both in committee and on the floor of Congress. You can click [here](#) to be taken to the NRA-ILA website, where you can look up your state and federal representative's contact information.

Yours in Freedom,

Randy Mackie

Vice President, Legislative Division

Nevada Firearms Coalition

**Legislative Affairs Division (cont):**

Here is a sample letter to our elected representatives in Washington and in Carson City in opposition to the rush to judgment following various shootings across the country. You are urged

to send your representatives a similar letter.

Date

Name

Address

Dear

We are sending this letter to you to express our position on the current spate of legislation that you will be facing regarding firearms and ammunition.

The Nevada Firearms Coalition is the grassroots firearms organization for the State of Nevada. We replaced the former Nevada State Rifle and Pistol Association and are the state association for the National Rifle Association, and a member of the National Shooting Sports Foundation and the Civilian Marksmanship Program.

Needless to say, we are concerned about the rush to place the blame and the cure for firearms violence on the backs of legal gun owners. We are also concerned about the blatant attack on the rights of all law-abiding Americans. Both of these are extremely serious issues and will determine the future of the freedom of this country and its citizens.

We strongly urge you to support legislation that is directed at the root of the violence issues in this country. Marketing of violence to children through the entertainment industry, violent video games and the decline of morality based parent influence, as well as a very broken mental health system, are all major factors that need serious consideration. We also urge you to resist and deny attacks on our liberties that are being expressed in the rush for gun and magazine control that the data shows has no effect on reducing crime.

We could present massive documentation demonstrating our position, but at this time it is sufficient to ask you to resist the implementation of laws that will destroy our property, limit our freedoms and make criminals out of good citizens.

Sincerely,

Don Turner, President  
Nevada Firearms Coalition

**Legislative Affairs, (Cont)**

Stillwater Firearms Association of Fallon, NV is an affiliate for Nevada Firearms Coalition. Sam McGuire is their legislative director.

**Range & Retail Division:**

Director David Famiglietti has been extremely busy operating New Frontier Armory and opening the new Battlefield Vegas facility. He requests that any member who has range and retail experience contact him as a possible replacement. His email is [David@nvfac.org](mailto:David@nvfac.org).

Mark Cole has stepped forward to fill this position. Mark is the owner and developer of Guns & Ammo Garage, a new range near the Las Vega Strip. Mark can be reached at [Mark@nvfac.org](mailto:Mark@nvfac.org). Welcome aboard, Mark!

**Other Division News:**

Membership renewals are in progress, so be sure to renew your membership.

Our online store is growing. Visit the store today and order your NVFAC official logo clothing.

NVFAC has been contacting gun dealers and firearms stores to ask for donations to hire a lobbyist for this legislative year. We would like to thank New Frontier Armory, Battlefield Vegas, and Brassman Brass for their generosity and leadership. We are disappointed that with the boon in the gun business that only three companies have stepped forward to help. We will continue to reach out to the rest of the dealers with our request.

**Gun Rights Sentinel/Liberty Tree Program**

Since grass-roots activism is the keystone of defending our Second Amendment rights, you can help us defend those rights by growing your Liberty Tree! To provide ammunition for that fight, the member who has the largest Liberty Tree by 15 March 2013 will win a NVFAC-logged baseball cap and polo shirt!

To win, just "grow" your Liberty Tree, and e-mail a print-out of your tree to [randy@nvfac.org](mailto:randy@nvfac.org) by Midnight, 15 March 2013. E-mail date-stamps will determine whether the list was received in time, and ties will be broken by the earliest time received.

Help us fight the good fight, and earn a prize, too! Here's more information on the program:

Looking for a way to help secure your gun rights? Want to do something for the cause but don't know how? Be a Gun Rights Sentinel! No costs involved, as much or as little time as you want to put into it, and on your own schedule. Contact our VP of Legislative Affairs at [randy@nvfac.org](mailto:randy@nvfac.org). Gun Rights Sentinels are active and interested citizens who care about their gun rights, and volunteer to be active in keeping their government accountable for their actions, and their fellow

citizens informed of things that threaten their liberties, and informing fellow citizens of effective actions that any and all of us can take to defend those rights.

Nevada is a relatively small state in population. That means our local, county, state and federal legislators are more susceptible to grass-roots activism (telephone calls, post cards, letters, e-mails, personal visits) than legislators in larger states like California and New York. As a new organization, the Nevada Firearms Coalition (NVFAC) is not as large or as well-funded as it hopes to be in a few years, but we can still have a positive effect on gun rights policies in the Silver State if we marshal the grass-roots resources available to us and use them wisely.

The goal is to organize members and allies of the Nevada Firearms Coalition to an effective level of grass-roots activism so that the Coalition can have a positive effect on the upcoming 2013 Nevada legislative session.

### **A Gun Rights Sentinel protects our liberties by:**

- Staying abreast of events, including legislative and regulatory actions, that affect our liberties, especially our gun rights
- Talking with office-holders about legislation and policies important to gun owners
- Attending or hosting educational events to better network with like-minded local citizens
- Attending town hall-type meetings of local, state and federal officials and ask questions
- Actively spreading awareness of issues and promoting accountability of government and elected officials to the citizenry
- Attending meetings, local events, and other public gatherings to distribute information
- If requested, representing NVFAC at meetings and giving testimony on gun rights issues to public bodies
- Alerting the NVFAC Legislative Director of potential gun rights issues that come to your attention

### **Develop a Liberty Tree**

This is a mailing list/e-mail/calling tree of like-minded citizens of your acquaintance whom you can mobilize on short notice for grass-roots action. Nevada is a small enough state that your personal Liberty Tree need not be extensive. Even a list of 10 or 15 like-minded citizens ready to call, fax or visit their legislators on a particular issue on short notice can make a difference! If even a relatively small number of NVFAC members and volunteers do this, the effect can be significant and very much worth doing. People on your Liberty Tree can organize Liberty Trees of their own to further leverage the positive effects.

Send your name, your contact info (phone and e-mail), and the number of people (not their contact info!) in your mailing list who have agreed to your request to help protect our gun rights, to our Legislative Division Vice-President Randy Mackie at [randy@nvfac.org](mailto:randy@nvfac.org). That information will be kept confidential, and the information you send us will never be sold or loaned for commercial purposes, or used for any purpose other than to contact you for political purposes that you volunteer to support.



## How It Works

From time to time, you will be asked to contact your local, state or federal legislators regarding particular issues in which the NVFAC has an interest. The requested contact may be by telephone, fax, letter, e-mail or a combination of some or all of those means. You may also be asked to personally visit your legislator to express your views on a subject, or to attend legislative or political meetings for the same purpose. NVFAC will provide you, usually by e-mail, with the subject matter of, and talking points for, the requested action, or may provide a sample letter for your use, depending on the circumstances. Then, you take the requested action in a timely manner. You then take the additional step of sending the action alerts we send you to other Sentinels on your personal Liberty Tree, thereby multiplying the effect of your actions. Report back to NVFAC by e-mail of your personal actions and your passing the alert on to your Sentinels, and you're done for that alert. That's all there is to it! It's simple, it's effective, and it leverages the power of concerned citizens in a relatively small state to have an effect beyond the limits of their actual numbers.

## If You Hear Something, Say Something

Liberty Trees can work in reverse! If you or your Tree hears of matters of interest in the struggle to preserve our civil rights, pass the word to NVFAC by e-mailing the Legislative Division at [randy@nvfac.org](mailto:randy@nvfac.org). We'll put the information to good use.

## *The Sad History of Gun Control*

Commentary

By

Rick Ainsworth

*"Those who do not remember the past are condemned to repeat it."*

...George Santayana

Let's explore a little history of gun control.

In 1929, the Soviet Union established gun control. From 1929 to 1953, about 20 million dissidents, unable to defend themselves, were rounded up and exterminated.

In 1911, Turkey established gun control. From 1915 to 1953, about 20 million Armenians, unable to defend themselves, were rounded up and exterminated.

Germany established gun control in 1038 and from 1939 to 1945 a total of 13 million Jews and others who were unable to defend themselves were rounded up and exterminated.

China established gun control in 1935. From 1948 to 1952, 20 million dissidents, unable to defend themselves, were rounded up and exterminated.

Guatemala established gun control in 1964. From 1964 to 1981, 100,000 Mayan Indians, unable to defend themselves, were rounded up and exterminated.

Uganda established gun control in 1970. From 1971 to 1979, 300,000 Christians, unable to defend themselves, were rounded up and exterminated.

Cambodia established gun control in 1956. From 1975 to 1977, one million educated people, unable to defend themselves, were rounded up and exterminated.

A total of 56 million people were killed in the 20<sup>th</sup> century as a direct result of gun confiscation. Can history be more clear?

Does gun confiscation work? It does if you're a despot. If you want to control a populace, gun confiscation would seem to be like, dictator 101.

The goal of the Obama Administration, make no mistake about it, is to confiscate all guns from law abiding citizens, leaving us vulnerable to criminals who have guns. But more importantly, confiscating our guns makes us vulnerable to an out of control central government whose only purpose for existence is to run our lives for us. The NFAC urges its members and friends to contact your elected representatives (you may use the sample letter provided by Don Turner on page 5) and let them know we do not support the various gun control schemes being bandied about Washington, D.C. We must always remember that someone with a gun is a citizen, someone whose gun has been taken away from him is a subject.

### ***Gun rights:***

#### **9 things you don't know about the Second Amendment**

by Matt MacBradaigh Policymic.com February 8, 2013

##### **1. The Second Amendment codifies a pre-existing right**

The Constitution doesn't grant or create rights; it recognizes and protects rights that inherently exist. This is why the Founders used the word "inalienable;" these rights cannot be created or taken away. In [\*D.C. vs. Heller\*](#), the Supreme Court said the Second Amendment "codified a pre-existing right. The very text of the Second Amendment implicitly recognizes the pre-existence of the right and declares only that it "shall not be infringed ... this is not a right granted by the Constitution" (p. 19).

## **2. The Second Amendment protects individual, not collective rights**

The use of the word "militia" has created some confusion in modern times, because we don't understand the language as it was used at the time the Constitution was written. However, the Supreme Court states in context, "it was clearly an individual right" (p. 20). The operative clause of the Second Amendment is "the right of the people to keep and bear arms shall not be infringed," which is used three times in the Bill of Rights. The Court explains that "All three of these instances unambiguously refer to individual rights, not 'collective' rights, or rights that may be exercised only through participation in some corporate body" (p. 5), adding "nowhere else in the Constitution does a 'right' attributed to 'the people' refer to anything other than an individual right" (p. 6).

## **3. Every citizen is the militia**

To further clarify regarding the use of the word "militia," the court states "the ordinary definition of the militia as all able-bodied men" (p. 23). Today we would say it is all citizens, not necessarily just men. The Court explains: "Keep arms' was simply a common way of referring to possessing arms, for militiamen and everyone else" (p. 9). Since the militia is all of us, it doesn't mean "only carrying a weapon in an organized military unit" (p. 11-12). "It was clearly an individual right, having nothing whatever to do with service in a militia" (p. 20).

## **4. Personal self-defense is the primary purpose of the Second Amendment**

We often hear politicians talk about their strong commitment to the Second Amendment while simultaneously mentioning hunting. Although hunting is a legitimate purpose for firearms, it isn't the primary purpose for the Second Amendment. The Court states "the core lawful purpose [is] self-defense" (p. 58), explaining the Founders "understood the right to enable individuals to defend themselves ... the 'right of self-preservation' as permitting a citizen to 'repe[l] force by force' when 'the intervention of society in his behalf, may be too late to prevent an injury' (p.21). They conclude "the inherent right of self-defense has been central to the Second Amendment right" (p.56).

## **5. There is no interest-balancing approach to the Second Amendment**

Interest-balancing means we balance a right with other interests. The court notes that we don't interpret rights this way, stating "we know of no other enumerated constitutional right whose core protection has been subjected to a freestanding "interest-balancing" approach. The very enumeration of the right takes out of the hands of government the power to decide on a case-by-case basis whether the right is really worth insisting upon. A constitutional guarantee subject to future judges' assessments of its usefulness is no constitutional guarantee at all" (p.62-63). This doesn't mean that it is unlimited, the same as all rights (more on that below). However, the court states that even though gun violence is a problem to be taken seriously, "the

enshrinement of constitutional rights necessarily takes certain policy choices off the table" (p.64).

## **6. The Second Amendment exists to prevent tyranny**

You've probably heard this. It's listed because this is one of those things about the Second Amendment that many people think is made up. In truth, this is not made up. The Court explains that in order to keep the nation free ("security of a free state"), then the people need arms: "When the able-bodied men of a nation are trained in arms and organized, they are better able to resist tyranny" (p.24-25). The Court states that the Founders noted "that history showed that the way tyrants had eliminated a militia consisting of all the able bodied men was not by banning the militia but simply by taking away the people's arms, enabling a select militia or standing army to suppress political opponents" (p. 25). At the time of ratification, there was real fear that government could become oppressive: "during the 1788 ratification debates, the fear that the federal government would disarm the people in order to impose rule through a standing army or select militia was pervasive" (p.25). The response to that concern was to codify the citizens' militia right to arms in the Constitution (p. 26).

## **7. The Second Amendment was also meant as a provision to repel a foreign army invasion**

You may find this one comical, but it's in there. The court notes one of many reasons for the militia to ensure a free state was "it is useful in repelling invasions" (p.24). This provision, like tyranny, isn't an everyday occurring use of the right; more like a once-in-a-century (if that) kind of provision. A popular myth from World War II holds Isoroku Yamamoto, commander-in-chief of the Imperial Japanese navy allegedly said "You cannot invade the mainland United States. There would be a rifle behind every blade of grass." Although there is no evidence of him saying this, there was concern that Japan might invade during WWII. Japan did invade Alaska, which was a U.S. territory at the time, and even today on the West Coast there are still gun embankments from the era (now mostly parks). The fact is that there are over 310 million firearms in the United States as of 2009, making a foreign invasion success less likely (that and fact that the U.S. military is arguably the strongest in the world).

## **8. The Second Amendment protects weapons "in common use at the time"**

The right to keep and bear arms isn't unlimited: "Like most rights, the right secured by the Second Amendment is not unlimited" (p. 54). The Court upheld restrictions like the prohibition of arms by felons and the mentally ill, and carrying in certain prohibited places like schools and courthouses. What is protected are weapons "in common use of the time" (p.55). This doesn't mean weapons in common use "at *that* time," meaning the 18th Century. The Court said the idea that it would is "frivolous" and that "the Second Amendment extends, prima facie, to all instruments that constitute bearable arms, even those that were not in existence at the time

of the founding" (p.8). The Court's criteria include weapons in popular widespread use "that [are] overwhelmingly chosen by American society" (p. 56), and "the most popular weapons chosen by Americans" (p. 58).

### **9. The Second Amendment might require full-blown military arms to fulfill the original intent**

The Court didn't rule specifically on this in *D.C. vs. Heller*, but noting that weapon technology has drastically changed (mentioning modern day bombers and tanks), they stated "the conception of the militia at the time of the Second Amendment's ratification was the body of all citizens capable of military service, who would bring the sorts of lawful weapons that they possessed at home to militia duty. It may well be true today that a militia, to be as effective as militias in the 18th century, would require sophisticated arms that are highly unusual in society at large" (p. 55).

They further added that "the fact that modern developments [in modern weaponry] have limited the degree of fit between the prefatory clause and the protected right cannot change our interpretation of the right" (p. 56). A full ruling has not been made, as this was not in the scope the court was asked to rule on in the *D.C. vs. Heller* case, but they left the door open for future ruling.

### **Reader/Member Feedback**

The Firing Line is interested in hearing from our membership on any subject that relates to firearms, gun control, the Second Amendment, and experiences in the firearms community. Letters will be edited for content and space. Address your letters to the editor and email them to [rlainsworth@cox.net](mailto:rlainsworth@cox.net).

New Business: