

DOCUMENT 1

Editorial The New York Times (opinion pages)

The Yawning Loophole in the Gun Laws

Published: December 18, 2012

Pressures from unexpected quarters continued to build on Congress to strengthen the country's porous gun laws. Pro-gun legislators expressed support for stronger rules. A prominent private equity firm announced that it was divesting itself of the company that makes the Bushmaster rifle, which was used in the mass shooting of 20 children and seven adults in Connecticut on Friday.

Bit by bit, it began to seem possible, at long last, that lawmakers who say they do not want guns to wind up in the hands of criminals, the mentally ill and others who cannot be trusted with them will do the one thing that would be most effective at achieving that goal, and the one thing the gun lobby does not want: requiring background checks for all gun sales.

The Brady gun control law, named for the White House official who was shot during an assassination attempt on President Ronald Reagan, requires licensed gun dealers to screen all prospective gun buyers through a federal database of convicted felons, drug abusers, people with a serious mental illness and others. In addition, the law requires licensed dealers to collect information about buyers that can be used later to trace guns that were used in crimes. From 1994 to 2009, those checks have prevented nearly two million gun sales, according to the Justice Department.

But the law does not cover private sales of guns, including transactions by "occasional sellers" at gun shows and flea markets, in what has become a gaping loophole that has allowed teenagers, ordinary criminals, terrorists, Mexican drug cartels and arms traffickers to have easy access to weapons. For instance, firearms bought at gun shows were used in the Columbine school shooting; they have been found in a shipment of arms supplies to the Lebanese terrorist group Hezbollah; and they have made their way across the border to Mexico.

But none of those examples have stopped the National Rifle Association and its supporters in Congress from blocking legislation that would require private sellers to run buyers through background checks, which take just a few minutes to process on the telephone. The N.R.A., emboldened by a Supreme Court ruling asserting an individual constitutional right to bear arms, has turned its attention to further broadening the market, lobbying state legislatures to allow concealed weapons in churches, schools and other public places and to restrict the discretion of local police in granting gun permits.

In the case of background checks on private sales, the N.R.A. has argued that checks are not needed because surveys of criminals suggest that just 2 percent of them buy their weapons from gun shows. This is a highly disingenuous argument because criminals most often purchase firearms from relatives, friends and associates. Many of those people, in turn, get their supplies from gun shows and elsewhere, including on the Internet where anybody with a credit card can order semiautomatic weapons for overnight delivery.

Requiring background checks for private sales will obviously not, on its own, keep people like Adam Lanza, the 20-year-old who perpetrated the massacre in Newtown, Conn., away from deadly

weapons. For starters, only buyers of guns, not members of the families who own them (as was true in his case), are screened against the database known as the National Instant Criminal Background Check System.

Moreover, many state governments and federal agencies have provided incomplete or no records to the system for various logistical, legal and financial reasons. But those flaws and limitations should not be a reason for lawmakers to exempt sales at gun shows, flea markets and at other venues from background checks, which are a simple and effective way to prevent many violent individuals from getting access to guns.

Since the Newtown shootings, the influence and power of the N.R.A. may have diminished as some of its usual allies have distanced themselves from its hard-line position. Cerberus Capital Management, a private equity firm, said on Tuesday that it would sell its stake in Freedom Group, the maker of the Bushmaster rifle. And a Democratic state lawmaker in California, Kevin de León, introduced a bill that would require people buying ammunition to go through background checks. These are small but promising shoots. It is up to Congress and President Obama to nurture them.

DOCUMENT 2

NRA official: Obama wants to outlaw guns in 2nd term

By Sean Lengell - The Washington Post

February 10, 2012, 03:41PM

A top official with the National Rifle Association said Friday that President Obama will move to "destroy" gun rights and "erase" the Second Amendment if he is re-elected in November.

While delivering one of the liveliest and best-received speeches at the Conservative Political Action Conference in Washington, NRA Executive Vice President Wayne LaPierre said the president's low-key approach to gun rights during his first term was "a conspiracy to ensure re-election by lulling gun owners to sleep."

"All that first term, lip service to gun owners is just part of a massive Obama conspiracy to deceive voters and hide his true intentions to destroy the Second Amendment during his second term," he said.

"We see the president's strategy crystal clear: Get re-elected and, with no more elections to worry about, get busy dismantling and destroying our firearms' freedom, erase the Second Amendment from the Bill of Rights and excise it from the U.S. Constitution."

Mr. LaPierre said the president's two Supreme Court appointees — Sonia Sotomayor and Elena Kagan— are "two of the most rabid anti-gun justices in history." He also accused Justice Ruth Bader Ginsburg of being a foe of gun rights.

And with the possibility of two or more Supreme Court justice positions opening during the next four years, the NRA official warned that gun ownership would be in jeopardy if Mr. Obama stays in office.

"If we get one more like those three, the Second Amendment is finished," he said. "It'll be the end of our freedom forever."

Mr. LaPierre, who said "there is no greater freedom than to own a firearm," predicted that gun owners will rally en masse to defeat Mr. Obama in November.

"All of what we know is good and right about America, all of it could be lost if Barack Obama is re-elected," he said. "It's all or nothing."

DOCUMENT 3

Another Reason Why I Don't Keep A Gun In The House

The neighbors' dog will not stop barking.

He is barking the same high, rhythmic bark
that he barks every time they leave the house.

They must switch him on on their way out.

The neighbors' dog will not stop barking.

I close all the windows in the house
and put on a Beethoven symphony full blast
but I can still hear him muffled under the music,
barking, barking, barking,
and now I can see him sitting in the orchestra,
his head raised confidently as if Beethoven
had included a part for barking dog.

When the record finally ends he is still barking,
sitting there in the oboe section barking,
his eyes fixed on the conductor who is
entreating him with his baton
while the other musicians listen in respectful
silence to the famous barking dog solo,
that endless coda that first established
Beethoven as an innovative genius.

Billy Collins (22 March 1941- New York City)

DOCUMENT 4



DOCUMENT 5

Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Bill of Rights, 15 December 1791