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NMGCA  
Membership  
Dues:

Annual renewal for  
regular members,  
under age 62, is  
\$35.00.

Renewal for spouse:  
\$15.00.

Annual Renewal for  
senior members,  
over age 61, is  
\$30.00.

Renewal for senior  
spouse is \$10.00.

## Winning Displays from the October Gun Show



### THE COMMON MAN

### THE PATTON AND ITS PIECES

### WHITNEY FIREARMS 1798 – 1888



The winning displays at the October 2009 Gun Show are pictured here and on page 4.

The winners were: The Common Man, Remington Rolling Block Rifles, The Patton And Its Pieces, and Whitney Firearms 1798 – 1888. Thanks to all who made the effort to set up these very educational displays and a special thanks to the judges who took the time to objectively evaluate the displays.

## A Call to Arms

# 11,000 Buyers Wrongly Rejected in 2008

By Paul C. Lisle

The media has reported for years that there are 200 million guns in America. The FBI's National Instant Criminal Background Check System (NICS) reported that the background checks for the first six months of 2009 totaled 7,035,286, a 24.5% increase over the 5,651,584 for the same period for 2008. The total number of background checks reported since the beginning of NICS (1998) is 103,019,294.

It appears that the media's 200 million guns in America should be revised upward to at least to 300 million.

To generate a background check, a gun buyer has to fill out an ATF form 4473. This form requires the buyer to put down all of his personal data i.e., name, address, place of birth, height, weight, gender, birth date, race, state of residence and country of citizenship. The SSN is optional. The type of gun (handgun, long gun or other i.e. frame, receiver) being purchase is also recorded.

The FFL dealer calls or e-mails this information into the ATF and receives a proceed, delay or denied response. Quite often the FFL dealer is transferred to the FBI for further checks before a response is given. The ATF and FBI are required by law not to keep a permanent file of this information from the background check inquiry.

So what happens to the 4473 forms? Forms 20 years old or older can be destroyed. The forms are kept in the dealer's records until they go out of business or die. The forms are then sent to the ATF where they are transferred to computer for a permanent record.

If a buyer should buy two or more handguns within a 5 working day period, the dealer is required to fill out another form, ATF form 3310.4, that requires the buyer's personal data plus the gun information, i.e. type (pistol or revolver), serial number, manufacturer and importer, model and caliber. This form is then faxed or mailed to the ATF National Tracing Center where a permanent record is kept. In summary, the Federal Government is amassing quite an extensive record on gun buyers and guns purchased.

With a "proceed" response from the ATF, the gun dealer can transfer the gun immediately. The process of

**Overturning Chicago's ban on handguns could open the way for a vigorous new campaign to roll back state and local gun controls**

buying a gun usually takes less than 15 minutes, depending on how long the buyer takes to fill out the 4473 form and how long the dealer takes in explaining the function and safety features of the gun.

When a delayed response is received from the ATF, the ATF has three working days to do additional research on the background check. During those three days the ATF may notify the dealer that he can proceed with the sale or that the sale is denied. If the dealer receives no response after three working days, he is free to complete the sale. Some dealers will not complete the sale without approval by ATF, which can take weeks or months.

When a dealer receives a denial,

the sale ends. Some denied buyers will try to get the dealer to sell to a wife or friend. If the dealer does this he could be guilty of a felony and suffer severe penalties.

If the denied buyer has purchased the gun on the Internet and had it shipped to a dealer for transfer, the gun belongs to the dealer and the buyer could be out of the money he spent for the guns unless the dealer offers to purchase the gun. Before buying a gun off the Internet, the buyer needs to be sure he can pass the background investigation.

To try to help the denied buyer, the ATF can provide the dealer with a package that contains the instructions for filing a "Voluntary Appeal Application" along with a fingerprint card. Since nearly 11,000 gun buyers were wrongly denied purchase by background checks in 2008, it is well worth the effort for a person that believes he has been wrongly denied to file for an appeal. If the ATF finds that the person has been wrongly denied, they will issue a "Unique Personal Identification Number" that the dealer can provide to the ATF and receive a proceed. This process can also be used to appeal a delayed response.

At last, some good gun news. The U.S. Supreme Court will hear a challenge to Chicago's ban on handguns. The odds are that the Supreme Court will rule 5 to 4 to throw out the ban as they did with the Washington DC gun ban. If this happens, it could open the way for a vigorous new campaign to roll back state and local gun controls across the nation.

"No free man shall ever be debarred the use of arms." Thomas Jefferson.

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**NEW MEXICO GUN COLLECTORS ASSOCIATION NOV / DEC 2009**

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NEW MEXICO GUN COLLECTORS ASSOCIATION, INC.  
P.O. Box 13687, Albuquerque, NM 87192

Membership Application, effective 2009

Regular member under age 62:			<u>Payment enclosed</u>
New Annual Member	\$ 45.00	Spouse \$ 20.00	\$ _____
Annual Renewal	\$ 35.00	Spouse \$ 15.00	\$ _____
Lifetime Renewal	\$250.00*	Spouse \$150.00*	\$ _____

(\*or payments within the same calendar year)

Senior member over age 61:			
New Annual Member	\$ 35.00	Spouse \$ 15.00	\$ _____
Annual Renewal	\$ 30.00	Spouse \$ 10.00	\$ _____
Lifetime Renewal	\$150.00*	Spouse \$ 75.00*	\$ _____

(\*or payments within the same calendar year)

Junior member, under age 21, with current member parent or guardian:  
No fee. Parent/guardian: \_\_\_\_\_

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New and Renewal Members: Please print legibly:

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email address: \_\_\_\_\_

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New Members only: Please print legibly:

Birth date(s): \_\_\_\_\_ (Must show proof of age)

Profession: \_\_\_\_\_

Arms Collecting interests: \_\_\_\_\_

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I certify that I am not a member of any organization which has ever, or is currently in any way, attempting to overthrow the government of the United States by force or violence; and that I have never been convicted of a felony and am not now under indictment for any crime. If admitted to membership, I agree to abide by the by-laws, rules, and regulations of the New Mexico Gun Collectors Association. The NMGCA Board of Directors approves all new members, who are on probation for the year following the date of that approval. Annual memberships are on a calendar year basis.

\_\_\_\_\_  
Applicant Signature Date

\$ _____	cash	check: _____	data base	card/letter	
amount received		check #			Board approval



REMINGTON ROLLING BLOCK RIFLES

## NMGCA Annual Banquet Set for December 9th

The NMGCA's Annual Banquet will be held this year on December 9th, 6:30 pm, at Sadie's Restaurant, 15 Hotel Circle, NE, (East side of Eubank between Hotel Circle and I-40).

A Mexican Buffet will feature beef tacos, green chile chicken enchiladas, chile rellenos, tamales, beans, rice, sopapillas, coffee, tea, iced tea, and soft drinks. The cost will be \$10.00 per person or \$15.00 per couple. A program is also being planned for the evening.

Non-Profit Org.  
U.S. Postage Paid  
Albuquerque, NM  
Permit No. 1448

The New Mexico Gun Collectors Association  
PO Box 13687  
Albuquerque, NM 87192