

Obama Pushing Treaty To Ban Reloading and Even BB Guns

Remember CANDIDATE Barack Obama? The guy who "wasn't going to take away our guns"? Well, guess what? Less than 100 days into his administration, he's never met a gun he didn't hate.

A week ago, Obama went to Mexico, whined about the United States, and bemoaned (before the whole world) the fact that he didn't have the political power to take away our semi-automatics. Nevertheless, that didn't keep him from pushing additional restrictions on American gun owners. It's called the Inter-American Convention Against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials. To be sure, this imponderable title masks a really nasty piece of work.

First of all, when the treaty purports to ban the "illicit" manufacture of firearms, what does that mean?

1. "Illicit manufacturing" of firearms is defined as "assembly of firearms [or] ammunition... without a license...."

Hence, reloading ammunition -- or putting together a lawful firearm from a kit -- is clearly "illicit manufacturing."

Modifying a firearm in any way would surely be "illicit manufacturing." And, while it would be a stretch, assembling a firearm after cleaning it could, in any plain reading of the words, come within the screwy definition of "illicit manufacturing."

2. "Firearm" has a similarly questionable definition.

"[A]ny other weapon" is a "firearm," according to the treaty -- and the term "weapon" is nowhere defined.

So, is a BB gun a "firearm"? Probably. A toy gun? Possibly. A pistol grip or firing pin? Probably. And who knows what else.

If these provisions (and others) become the law of the land, the Obama administration could have a heyday in enforcing them. Consider some of the other provisions in the treaty:

* Banning reloading. In Article IV of the treaty, countries commit to adopting "necessary legislative or other measures" to criminalize illicit manufacturing and trafficking in firearms.

Remember that "illicit manufacturing" includes reloading and modifying or assembling a firearm in any way. This would mean that the Obama administration could promulgate regulations banning reloading on the basis of this treaty -- just as it is currently circumventing Congress to write legislation taxing greenhouse gases.

* Banning gun clubs. Article IV goes on to state that the criminalized acts should include "association or conspiracy" in connection with said offenses -- which is arguably a term broad enough to allow, by regulation, the criminalization of entire pro-gun organizations or gun clubs, based on the facilities which they provide their membership.

* Extraditing US gun dealers. Article V requires each party to "adopt such measures as may be necessary to establish its jurisdiction over the offenses it has established in accordance with this Convention" under a variety of circumstances.

We know that Mexico is blaming U.S. gun dealers for the fact that its streets are flowing with blood. And we know it is possible for Mexico to define offenses "committed in its territory" in a very broad way. And we know that we have an extradition obligation under Article XIX of the proposed treaty. So we know that Mexico could try to use the treaty to demand to extradition of American gun dealers.

Under Article XXIX, if Mexico demands the extradition of a lawful American gun dealer, the U.S. would be required to resolve the dispute through "other means of peaceful settlement."

Does anyone want to risk twenty years in a sweltering Mexican jail on the proposition that the Obama administration would apply this provision in a pro-gun manner?

* Microstamping. Article VI requires "appropriate markings" on firearms. And, it is not inconceivable that this provision could be used to require microstamping of firearms and/or ammunition -- a requirement which is clearly intended to impose specifications which are not technologically possible or which are possible only at a prohibitively expensive cost.

* Gun registration. Article XI requires the maintenance of any records, for a "reasonable time," that the government determines to be necessary to trace firearms. This provision would almost certainly repeal portions of McClure-Volkmer and could arguably be used to require a national registry or database.

ACTION: Write your Senators and urge them to oppose the Inter-American Convention Against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials.

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