



March 2021

Legislative Officer Report

Guest Speaker

David D. Jensen, Esq. was scheduled to speak at the March Membership Meeting. Mr. Jensen is a 2A supporter, advocate and a champion on the legal front, defending the Second Amendment and our protections under it. Mr. Jensen has law offices in NYC and here in the Mid-Hudson Valley, in Beacon. Mr. Jensen has fought many battles of the constitutional rights front, one of the latest being a Second Amendment infringement case filed on March 22, 2021, in U.S. District Court for the District of New Jersey. You can view the 28 page filing at: <https://bit.ly/3sq2muc>

Unfortunately, Mr. Jensen realized a scheduling conflict for the March meeting, and is now scheduled to appear at our April 30th meeting.

On the D.C.P.A. Homefront

Our IDPA membership has been confirmed valid through 03/17/2022. Thank you to Mike Rogers for taking care of the USPSA Sectional Fees that were due by April 1st.

Work on the D.C.P.A. affiliate membership list continues. The list and membership statuses should be complete soon.

Purpose - The D.C.P.A. maintains membership in many affiliate organizations such as the Dutchess County Fish & Game Clubs, NRA, NYS Rifle & Pistol Association, etc. Work on maintenance of these memberships continues. As mentioned previously, the plan with consolidating the list maintenance was to ensure the memberships are up to date and maintained as such. Additionally, the Executive Committee (E.C.) goal is that these memberships are maintained in one concise list and managed by one E.C. member, so can be easily maintained from year to year for uninterrupted membership and passed along during the transitional period from E.C. to E.C. to ensure there are no lapses in membership.

From the F.B.I.

According to the FBI-NICS reporting information available from the Bureau, NICS checks for the month of February 2021 totaled 3,442,777. This number of records checks is down 875,027 from last month, and is up over 640,310 from February 2020.

View the NICS records checks totals from November 30, 1998 – present at: <https://bit.ly/30vwjfk>

NOTE: For many reasons, the number of NICS checks do not necessarily mirror the number of actual firearm sales.

In the Legislature

Remember, the absolute most important thing you can do as a Second Amendment advocate and constituent is to become familiar with proposed legislation that impacts the Second Amendment, and be sure your elected representatives know where you stand on these matters.

Several people have recommended a pre-formatted template that can be sent by constituents (via email or mail) to their representatives. This idea is being considered, but in an effort to not re-invent the wheel as the saying goes, there other Second Amendment organizations in place that already do this. I am examining the options, for future efforts and will keep you posted.

There seems to be activity on the anti-2A legislative front daily. I'm likely just touching the tip of the iceberg from month to month, so please use the links provided to stay up to date.

In the NYS Legislature

On the N.Y.S. level there are currently 21 pieces of proposed legislation, 6 of which have sister bills in the other legislative body.

NYS A412/S476 if enacted would amend the NYS Penal Law to include an violation category offense for unlawful possession of a firearm by persons under 21 years of age. Offenders would be adjudicated as Juvenile Offenders. On 01/06/2021, this bill was sent to the Assembly Codes Committee where it currently sits awaiting action. There is an exemption included for those in possession of a hunting license and using said firearm in accordance with the rules established by the hunting license. FYI – This bill has been introduced in previous legislative sessions, 2017-2018: [A10426](#), [S7890](#) and 2019-2020: [A7460](#), [S2280](#) and died in each previous session in committee without further action. A412/S476 can be viewed here, including full text of the bill at: <https://bit.ly/3kWFzTO>

In the U.S. Legislature

On the Federal level there are currently 11 pieces of proposed legislation, some of which have sister bills in the other legislative body.

H.R. 1446 - "Enhanced Background Checks Act." Introduced on March 1, 2021, by Rep. James Clyburn (D- S.C.), the Bill passed a House of Representatives vote on

03/11/2021, and went to the Senate the same day. **I encourage you to contact your US SENATE representatives and urge them to NOT support this legislation.**

Under the bill, the FBI could indefinitely block federally licensed dealers (FFLs) from transferring firearms, simply by failing to provide decisions on the background checks FFLs are required to run on their customers. The bill, however, would eliminate the current automatic default transfer option for the FFL. If the intended recipient didn't file the follow-up petition, and the FBI didn't resolve the NICS check, the transfer could NEVER proceed. Currently, there are 137 cosponsors, including 16 from NY, including our very own Rep. Sean Patrick Maloney (D-NY-18).

[Rep. Jamaal Bowman \(D-16\)](#)
[Rep. Yvette D. Clarke \(D-9\)](#)
[Rep. Antonio Delgado \(D-19\)](#)
[Rep. Adriano Espaillat \(D-13\)](#)
[Rep. Brian Higgins \(D-26\)](#)
[Rep. Hakeem S. Jeffries \(D-8\)](#)
[Rep. Mondaire Jones \(D-17\)](#)
[Rep. Carolyn B. Maloney \(D-12\)](#)
[Rep. Sean Patrick Maloney \(D-18\)](#)
[Rep. Grace Meng \(D-6\)](#)
[Rep. Joseph D. Morelle \(D-25\)](#)
[Rep. Jerrold Nadler \(D-10\)](#)
[Rep. Kathleen M. Rice \(D-4\)](#)
[Rep. Thomas R. Suozzi \(D-3\)](#)
[Rep. Ritchie Torres \(D-15\)](#)
[Rep. Nydia M. Velazquez \(D-7\)](#)

This bill, if passed would flip the burden of proof and makes the RIGHT to obtain a firearm a process in which the intended recipient might have to repeatedly beg, including at the NICS stage, again at the petition stage, and yet again with the FFL if the petition is never answered and the mandatory 10 day waiting period expires.

At no time, however, does the FBI actually have to point to a disqualifying record to block the transfer. Simply claiming, "We don't know" would be enough to shift the burden of action to the intended recipient. See the full text of this proposed legislation at: <https://bit.ly/3epM6oz>

H.R. 8 – Titled the Bipartisan Background Checks Act of 2021, <https://bit.ly/2QEN3Q9> . Introduced on 3/1/2021, by Rep. Mike Thompson(D-CA-5) and 8 others, and cosponsored by a total of 210 other Representatives, 19 of whom are

from New York, including Rep. Sean Patrick Maloney (D-NY-18). On 03/11/2021, H.R. 8 passed the House of Representatives by a 227 – 203 vote. It was forwarded to the newly appointed Democrat led Senate on the same day. This Bill passed through the House in a mere 10 days. See how quickly things can pass when they want them to. **I encourage you to contact your US SENATE representatives and urge them to NOT support this legislation.**

This bill seeks to require background checks for most every transfer of ownership of a firearm, with few exceptions (eg.: between spouses, domestic partners, siblings, and some others, etc...). This legislation if passed would require all other transfers of ownership to take place through a FFL holder, after conducting a NICS background check. Similar legislation was introduced in the 116th Session and died in committee with no action.

H.R. 933 – Titled the Second Amendment Preservation Act, introduced on 02/08/2021 by Congressman Griffith H. Morgan (R-VA-9) and co-sponsored by Rep. Markwayne Mullin (R-OK-2) and Rep. Jeff Duncan (R-SC-3). **I encourage you to contact your US representatives and urge them to support this legislation.** This bill is also known as the Home Defense and Competitive Shooting Act of 2021.

If passed, this bill would remove short-barreled rifles (barrels of less than 16 inches in length) from the definition of firearms for purposes of the National Firearms Act. It also eliminates the prohibition on the transportation of such rifles in interstate commerce and treats persons who acquire or possess a short-barreled rifle as meeting the registration or licensing requirements for such rifle where such requirements are determined by reference to the National Firearms Act.

It has also been reported, the first week after this bill was introduced, some of the best pro-gun fighters in Congress have added their name to the bill as co-sponsors, including: Congressman Paul Gosar (R-AZ), Randy Weber (R-TX), Scott Petty (R-PA), Madison Cawthorn (R-NC), Thomas Massie (R-KY), Chip Roy (R-TX), Ted Budd (R-NC), Jody Hice (R-GA), Andy Biggs (R-AZ), Warren Davidson (R-OH), Yvette Herrell (R-NM), Alexander Mooney (R-WV) and Freshman Congresswoman Marjorie Greene (R-GA), who is on track to become a gun rights champion in Congress. On 02/08/2021, H.R.933 was simultaneously referred to the House Ways and Means and Judiciary Committees, where it still sits awaiting action. The text of H.R.933 is available at: <https://bit.ly/3rBvOwM>

H.R. 38 - Newly reintroduced legislation on 01/04/2021, by Rep. Richard Hudson (R-NC), and a long list, which has increased as of March, 8, 2021, to 175 co-sponsors <https://bit.ly/2OGuQ3y>, the Concealed Carry Reciprocity Act, which would

give more meaningful effect to those rights by ensuring they stay intact as travelers crossed state lines. **I encourage you to contact your US representatives and urge them to support this legislation.** This bill was referred to the House Judiciary Committee on 01.04.2021, where it sits awaiting further action. FYI - This same bill was originally introduced in the 115th Congress in 2017, by Rep. Hudson and died at the end of that Congress.

In short, H.R. 38 if passed would correct these injustices. It would recognize the right of travelers to carry to carry in other states that provide a means of lawful concealed carry for the state's own residents, if those travelers:

- may lawfully possess and receive a firearm under federal law,
- carry photo identification issued by the U.S. or a state government, and
- have a concealed carry permit or reside in a state that otherwise provides for lawful concealed carry without a permit.

Read the full 7 page text of the proposed legislation at <https://bit.ly/3lobdzG>.

H.R. 127 - Introduced on 01/04/2021, by Rep. Sheila Jackson-Lee (D-TX). **I encourage you to contact your US representatives and urge them to NOT support this legislation.** H.R. 127 was referred to the House Judiciary Committee on 01/04/2021, where it sits awaiting action. This legislation includes:

- Three different types of federal firearms licenses and various criteria to be met to obtain said licensing. Some of which include:
 - The owner to be 21 years old, even though you can vote, drink and join the military at 18. The Attorney General will likely require a picture ID although that isn't in the bill.
 - The owner to also have an insurance policy likely to only be issued by the government, like flood insurance, with an \$800 annual premium. (That's right, \$800 per year.) It is not clear if this is \$800 per firearm or not.
 - The owner must also undergo a psychological exam by a licensed psychologist (at their own expense).
- It also calls for a national database of all firearm ownership
 - With access by all members of the public.
 - Renewals of the license.
 - With strict conditions that must be met for renewal.
- Additional training approved by the U.S. Attorney General
 - With a minimum of 8 hours of training specific to the "weapon" subject to the license.
- Plus, so much more...

Read the full text of this 19 page bill at: <https://bit.ly/3oq2PzV>.

Please consider helping the American Firearms Association in their fight against this legislation by signing their petition against H.R. 127 by clicking here: <https://bit.ly/3bupS2R>

From the NRA – Institute for Legislative Action (ILA)

- On March 8, 2021, in Missouri, their House passed House Bill 52 by an overwhelming majority of [124-32](#), to ensure law-abiding citizens may carry firearms for self-defense on public transit. It now goes to the Senate for further consideration.

Click here to view the text of [House Bill 52](#), sponsored by Representative Adam Schnelting (R-104), removes the prohibition on law-abiding citizens carrying firearms for self-defense on publicly funded transportation systems. In addition, it allows law-abiding citizens to transport unloaded or non-functioning firearms on buses. This repeals an arbitrary “gun-free zone” that does nothing to hinder criminals, while leaving law-abiding citizens defenseless. It ensures that citizens with varying commutes throughout their day, and of various economic means, are able to exercise their Second Amendment rights and defend themselves.

- Also, on March 8, 2021, the NRA-ILA reported on President Biden’s nominee to serve as United States Secretary of the Interior, U.S. Representative Deb Haaland (D-NM). It is believed she would be yet another cog Biden hopes to fit into his administration’s anti-gun machine.

In Congress, Haaland has expressed her desire to see most semi-automatic firearms banned under the guise of an “assault weapons” ban. She has also voted for so-called [“universal” background check](#) legislation, as well as so-called [“Charleston loophole”](#) legislation that would allow unelected government bureaucrats to cause indefinite delays for law-abiding Americans when they attempt to purchase firearms.

Considering the Secretary of the Interior has quite a bit of influence over hunting and recreational shooting policies on federal land, her support for gun bans as well as other restrictive gun control is clearly problematic.

During testimony for her confirmation hearing, she refused to answer several questions put forth by U.S. Senator Steve Daines (R-MT)

Clearly, Representative Haaland's track record demonstrates that she would not protect the interests of hunters, recreational shooters and sportsmen as Secretary of the Interior – as a result, the NRA opposes her confirmation. Her nomination currently awaits consideration by the full U.S. Senate, but a vote is yet to be scheduled. NRA-ILA will keep you apprised of any developments. Read the full article from the NRA-ILA here: <https://bit.ly/38s5EF4>

- On March 8, 2021, the NRA-ILA published an article regarding H.R. 1446 – the “Enhanced Background Checks Act,” (see info previously mentioned above,) that was introduced on March 1, 2021, by Rep. James Clyburn (D- S.C.). Under the bill, the FBI could indefinitely block federally licensed dealers (FFLs) from transferring firearms, simply by failing to provide decisions on the background checks FFLs are required to run on their customers and more. Read the full article here: <https://bit.ly/3v8OWEq>

From your Legislative Officer

Upon sending out last month's Legislative Report via the D.C.P.A. mail server, I noted somewhere around 110 emails were bounced back. For the majority, this issue appeared to be due to the individual member's email servers rejecting the message due to the inclusion of many .gov weblinks. Like the ones I post to direct members to the individual F.B.I. stats, or to the individual pieces of legislation in their respective legislative bodies. Thank you to President Covelli for figuring out the reason the majority of the rejections occurred and for providing an alternative solution for me to provide the information without using the .gov extensions. You will note, moving forward most if not all the links in my report are now shortened links provided by bit.ly, a very handy tool indeed.

There are several 2A friendly organizations with an abundance of information and petitions against the anti-2A legislation. I encourage you to check out their websites for additional information and resources.

NRA – Institute for Legislative Action [NRA-ILA | Home](#)

Shooters Committee on Political Education - [S.C.O.P.E. - Shooters Committee On Political Education - Dedicated to preserving the 2nd amendment rights for the residents of New York State \(scopeny2a.org\)](#)

NYS Rifle & Pistol Association - [NYSRPA | New York State Rifle and Pistol Association | NYS Firearms Advocacy](#)

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Gregg Buddenhagen", written over a horizontal line.

Gregg Buddenhagen

Legislative Officer – Dutchess County Pistol Association

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