



POTSHOTS

An Aggregator of Firearms-Related News and Information

Now in the 2nd year of publication....

Number 61 – October 13, 2023



PEW PEW
— TACTICAL —

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Guns, Gear, & Techniques**

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Digest

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RedState

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RECOIL

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Liberty Safe Will Let Owners Change Their Master Reset 'Backdoor' Access Code

BEARING ARMS

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**Sen. Durbin Introduces Bill to
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**What Really Happens When
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Examination of Gunshot Effects -
CAUTION: Graphic Images**

**THE FIREARM INDUSTRY
IS DISTRIBUTING THOUSANDS
OF SUICIDE PREVENTION
TOOLKITS AND
ENCOURAGING BRAVE
CONVERSATIONS.**



**HELP MAKE A DIFFERENCE AT
NSSFREALSOLUTIONS.ORG**





**TANNER
GUN SHOW**

**Tanner Gun Show - Colorado Springs
October 13th-15th
Norris Penrose Event Center**

**Tanner Gun Show - Aurora
October 27th - 29th
Arapahoe County Fairgrounds**

**Tanner Gun Show - Pueblo
November 17th - 19th
Colorado State Fairgrounds**

**Tanner Gun Show - Denver
November 24th - 26th
Crowne Plaza**

**Tanner Gun Show - Aurora
December 15th - 17th
Arapahoe County Fairgrounds**

**Tanner Gun Show - Denver
December 29th - 31st
Crowne Plaza**

THE EPOCH TIMES

**Supreme Court Temporarily
Reinstates Biden Admin's 'Ghost
Gun' Rule**

**GUNSAMERICA
Digest**

The Best Folding Firearms

RedState

**Smith and Wesson Ditches Blue
Massachusetts, Moves HQ to
Friendlier Tennessee**

The Firearms Coalition of Colorado 10-9-2023 Proposed BATFE Rule on "Gun Dealers"

If you have not yet commented on the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) proposed rule that would change the definition of who is a "gun dealer" subject to regulation by the bureau, please do so. The comment period expires on 12-07-2023. We urge you to weigh in on what we consider to be a serious overreach of BATFE authority.

The regulatory change apparently hinges on the mere intention to sell firearms mainly to earn a "profit." Citizens who sell firearms at gun shows could be considered dealers in firearms under the new rule and may be required to obtain a Federal Firearms License (FFL). Offering to sell even one firearm could trigger the license requirement under certain circumstances. Along with the Administration's current Draconian "Zero-Tolerance" crackdown on FFLs, this move seems intended to cripple gun shows, chill individual gun sales, put as many firearms sellers as possible under the thumb of the BATFE, and to ultimately decimate gun transfers.

Exemptions might be made for individuals selling guns from their individual "collections," subject to what seem to be dangerously vague conditions. Significantly, owning firearms for the purpose of self-defense does not seem to qualify as having a "collection," under the proposed rule.

We believe the proposal exceeds the authority of the BATFE under current law. We also believe that the apparent lack of clarity in the pending rule invites abuse by an agency with an historical bias against the private ownership of firearms.

Information on the issue and instructions on how to comment may be found here.

<https://www.federalregister.gov/documents/2023/09/08/2023-19177/definition-of-engaged-in-the-business-as-a-dealer-in-firearms>.

Please be courteous and concise in your comments. Where appropriate, state facts and the personal impact of the regulation on you and your family. It is important to let government officials know your opinion, even if they oppose your views. Liberals need to know there is significant, principled opposition to their intended course of action, or they will assume that no one cares and will pursue even more outrageous proposals.

While contacting government officials is important, elections are the most important factors in determining if we are to keep our birthright of freedom recognized by the Second Amendment. Elections determine who runs the legislative process at the state and federal levels, and who controls the boards, councils and commissions for local districts, cities and counties. Please do as much as you can to assist in the effort to elect pro-Second Amendment candidates in every election. Remember that a Third-Party Vote is a wasted vote and that people who cast protest votes are called losers.

Follow us at: <https://groups.io/g/gunissues>. (May need to copy and paste.) (You must sign on to join this group.)

Follow us at: [CaucusRoom](#).

(You must sign on to join this group. We are listed as a "Club.").

The Firearms Coalition of Colorado is an NRA Grassroots Affiliate. Our all-volunteer organization depends on memberships and the generosity of Second Amendment Supporters. Please join or contribute to The Firearms Coalition of Colorado. Individual memberships are still \$25 per year. Send check or money order to:

The Firearms Coalition of Colorado, PO Box 1454, Englewood, CO 80150-1454

Notice of Proposed Rulemaking; Request for Comment

Summary

The Department of Justice (“Department”) proposes amending Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) regulations to implement the provisions of the Bipartisan Safer Communities Act (“BSCA”), effective June 25, 2022, that broaden the definition of when a person is considered “engaged in the business” as a dealer in firearms other than a gunsmith or pawnbroker. This proposed rule incorporates the BSCA’s definition of “predominantly earn a profit,” creates a stand-alone definition of “terrorism,” and amends the definitions of “principal objective of livelihood and profit” and “engaged in the business” to ensure each conforms with the BSCA’s statutory changes and can be relied upon by the public. The proposed rule also clarifies what it means for a person to be “engaged in the business” of dealing in firearms, and to have the intent to “predominantly earn a profit” from the sale or disposition of firearms. In addition, it clarifies the term “dealer,” including how that term applies to auctioneers, and defines the term “responsible person.” These proposed changes would assist persons in understanding when they are required to have a license to deal in firearms. Consistent with the Gun Control Act (“GCA”) and existing regulations, the proposed rule also defines the term “personal collection” to clarify when persons are not “engaged in the business” because they make only occasional sales to enhance a personal collection, or for a hobby, or if the firearms they sell are all or part of a personal collection. This proposed rule further addresses the lawful ways in which former licensees, and responsible persons acting on behalf of such licensees, may liquidate business inventory upon revocation or other termination of their license. Finally, the proposed rule clarifies that a licensee transferring a firearm to another licensee must do so by following the verification and recordkeeping procedures instead of using a Firearms Transaction Record, ATF Form 4473.

Dates

Written comments must be post-marked and electronic comments must be submitted on or before December 7, 2023. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after midnight Eastern Time on the last day of the comment period.

Addresses

You may submit comments, identified by docket number ATF 2022R–17, by either of the following methods—

- Federal eRulemaking Portal: www.regulations.gov. Follow the instructions for submitting comments.
- Mail: Helen Koppe, Mail Stop 6N–518, Office of Regulatory Affairs, Enforcement Programs and Services, Bureau of Alcohol, Tobacco, Firearms, and Explosives, 99 New York Ave. NE, Washington, DC 20226; ATTN: ATF 2022R–17.

Instructions: All submissions received must include the agency name and docket number (ATF 2022R–17) for this notice of proposed rulemaking (“NPRM” or “proposed rule”). All properly completed comments received from either of the methods described above will be posted without change to the Federal eRulemaking portal, www.regulations.gov. This includes any personal identifying information (“PII”) submitted in the body of the comment or as part of a related attachment. Commenters who submit through the Federal eRulemaking portal and who do not want any of their PII posted on the internet should omit PII from the body of their comment or in any uploaded attachments. Commenters who submit through mail should likewise omit their PII from the body of the comment and provide any PII on the cover sheet only. For detailed instructions on submitting comments and additional information on the rulemaking process, see the “Public Participation” heading of the SUPPLEMENTARY INFORMATION section of this document.

For Further Information Contact

Helen Koppe, Office of Regulatory Affairs, Enforcement Programs and Services, Bureau of Alcohol, Tobacco, Firearms, and Explosives, U.S. Department of Justice, 99 New York Ave. NE, Washington, DC 20226; telephone: (202) 648–7070 (this is not a toll-free number).



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- You used an illegal weapon or firearm.
- The incident occurred in a gun-free zone.
- You are a prohibited possessor.
- You were impaired by any drugs or alcohol.
- The incident is deemed a domestic dispute.
- You failed to possess or possessed an invalid concealed weapons permit.
- The incident involved a negligent or accidental discharge of your firearm.

<https://www.attorneysonretainer.us>

Attorneys for Freedom YouTube Channel:

https://www.youtube.com/channel/UCRshbMeLUAWH_5vo4ji5dZQ

USCCA Policy Review:

<https://youtube/gbEbOJMdK30>

FLP Policy Review:

https://www.youtube.com/watch?v=6lOaE6EqR_0

US Law Shield Policy Review:

<https://www.youtube.com/watch?v=1dHLx1Txots>

CCW Safe Policy Review:

<https://www.youtube.com/watch?v=d6qS0eCcdpY>

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The Israeli Terrorist Attack Should End the Gun Control Debate in the US...But It Won't

District Judge Issues Injunction Blocking ATF Enforcement of Forced Reset Triggers as Machine Guns



Open Source 3D Gun Scans

Open Source T.REX Sidecar Spine System

Open Source T.REX Sidecar Extender

Open Source T.REX Sidecar Dual Wield Adapter

Open Source T.REX Battery / Chemlight Holder

Upcoming “Social Media Holidays” To Look Forward To

OCTOBER

October 13: World Sight Day (Second Thursday of October)
October 14: National Dessert Day
October 15: Global Handwashing Day
October 16: World Food Day
October 16: Bosses Day
October 17: International Day for the Eradication of Poverty
October 20: World Statistics Day (Held every 5 years; it will next be celebrated in 2025)
October 21: Reptile Awareness Day
October 20: Get to Know Your Customers Day (Third Thursday of October)
October 24: United Nations Day
October 25: Greasy Foods Day
October 30: National Publicist Day
October 30: Checklist Day #ChecklistDay
October 31: Halloween #Halloween

NOVEMBER

November 1-30: National Novel Writing Month
November 1: National Authors Day
November 1: World Vegan Day
November 1: National Cook For Your Pets Day
November 3: National Sandwich Day
November 4: National Candy Day
November 8: National Cappuccino Day
November 8: Science, Technology, Engineering, and Medicine (STEM) Day
November 11: Veterans Day
November 13: World Kindness Day
November 14: World Diabetes Day
November 15: Clean Out Your Refrigerator Day
November 15: America Recycles Day
November 16: International Day for Tolerance
November 17: International Students Day
November 19: International Men's Day
November 20: Universal Children's Day
November 21: World Hello Day
November 26: National Cake Day
November 29: Electronic Greeting Card Day
November 30: Computer Security Day

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ABOUT US

Disclosure: This newsletter features news, how-to information, and links to assorted topics related to firearms and their use. The publisher receives no remuneration or commission of any kind. We only recommend articles and opinion pieces because of their quality and relevance to local political conditions and applicable firearm regulations. All firearms should be stored and handled within industry-acceptable guidelines.

Copies of past issues of *Potshots* are archived at <https://theloadedmag.com/news/news.html>

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Non-profit, educational or personal use tips the balance in favor of fair use.

FAIR USE DEFINITION:

(Source: http://en.wikipedia.org/wiki/Fair_use)

Fair use is a doctrine in the United States copyright law that allows limited use of copyrighted material without requiring permission from the rights holders, such as for commentary, criticism, news reporting, research, teaching or scholarship. It provides for the legal, non-licensed citation or incorporation of copyrighted material in another author's work under a four-factor balancing test. The term "fair use" originated in the United States. A similar principle, fair dealing, exists in some other common law jurisdictions. Civil law jurisdictions have other limitations and exceptions to copyright.

U.S. COPYRIGHT OFFICE - FAIR USE DEFINITION:

(Source: <http://www.copyright.gov/fls/fl102.html>)

One of the rights accorded to the owner of copyright is the right to reproduce or to authorize others to reproduce the work in copies or phonorecords. This right is subject to certain limitations found in sections 107 through 118 of the copyright law (title 17, U.S. Code). One of the more important limitations is the doctrine of "fair use". The doctrine of fair use has developed through a substantial number of court decisions over the years and has been codified in section 107 of the copyright law.

Section 107 contains a list of the various purposes for which the reproduction of a particular work may be considered fair, such as criticism, comment, news reporting, teaching, scholarship, and research. Section 107 also sets out in four factors to be considered in determining whether or not a particular use is fair:

1. The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes
2. The nature of the copyrighted work
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole
4. The effect of the use upon the potential market for, or value of, the copyrighted work

The distinction between fair use and infringement may be unclear and not easily defined. There is no specific number of words, lines, or notes that may safely be taken without permission. Acknowledging the source of the copyrighted material does not substitute for obtaining permission.

The 1961 Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law cites examples of activities that courts have regarded as fair use: "quotation of excerpts in a review or criticism for purposes of illustration or comment; quotation of short passages in a scholarly or technical work, for illustration or clarification of the author's observations; use in a parody of some of the content of the work parodied; summary of an address or article, with brief quotations, in a news report; reproduction by a library of a portion of a work to replace part of a damaged copy; reproduction by a teacher or student of a small part of a work to illustrate a lesson; reproduction of a work in legislative or judicial proceedings or reports; incidental and fortuitous reproduction, in a newsreel or broadcast, of a work located in the scene of an event being reported."

Copyright protects the particular way an author has expressed himself. It does not extend to any ideas, systems, or factual information conveyed in the work. The safest course is always to get permission from the copyright owner before using copyrighted material.