

Talking' To America

Interview with Len Savage July 16, 2008

INTRODUCTION

Aaron Zelman: This is **Talkin' To America**. Our special guest today is Len Savage. I am your host, Aaron Zelman. Today, we will be taking about five years of documented ATF testing abuses and errors from Glover to Olofson. If you own a semi-automatic weapon that could be considered a machine gun by to the new standards that the ATF is enforcing throughout the land, we do encourage you to listen very carefully.

Len, welcome to **Talkin' To America**.

Len Savage: It's a pleasure to be here sir.

Aaron Zelman: Well, why don't we start with the basics, a little brief history about Glover and Olofson and why the Glover case prevailed and why Olofson failed.

Len Savage: Well, first thing I'm going to suggest to everybody is they see **BATFE Fails the Test**. It will be painfully obvious by the end of it. That's a DVD and I suggest everybody see that because we don't know that there will ever be another one of those.

Aaron Zelman: The DVD is available from **JPFO.org**.

Len Savage: And there is a lot of good information in there. Johnny Glover retained aggressive counsel, probably one of the best, Monroe Whitesides, and he secured a court order to videotape and document the testing and examination that took place. That's one of the reasons Glover prevailed. Olofson was not only denied this by the court, and he was also denied to have anyone examine the evidence against him other than the ATF and he had court-appointed counsel that was unfamiliar with ATF tricks and deceptions that they present before Federal courts.

Aaron Zelman: Who prevented the verification of the testing?

Len Savage: Oh, that would have been District Court in Milwaukee, Wisconsin, I think, it was the Honorable Judge Clevert.

Aaron Zelman: Okay and he's also the one who sentenced Olofson.

Len Savage: Yes, he is.

Aaron Zelman: All right, well, we'll get to that in a moment. I'm sure you want to cover it. Okay, I'm sorry, go ahead.

Len Savage: In fact, Olofson's rifle was tested in secret. If the Fairness in Firearms Act was law, Mr. Olofson never would have been convicted because the judge and the jury could have been seeing the tricks and the deceptions as they were being employed by the ATF. I truly think as in **US versus Glover** it would have been dismissed prior to the trial had everybody saw it all on tape.

Aaron Zelman: Olofson had an AR-15.

Len Savage: Yes, he did.

Aaron Zelman: Maybe a little history on that would be useful, that particular gun that he had.

Len Savage: Well, the AR-15 is the semi-automatic variant of the military M-16 or M-4 that is currently being used by our military. As a semi-automatic variant, it does not have what is called an auto-sear. An auto-sear is the mechanism that makes a firearm either a machine gun or not. If it has one, it's a machine gun. If it doesn't have one, it's not. Olofson's rifle did not have an auto-sear nor did it have a provision for one, meaning it was not machined out, there was not a hole for it to be mounted into his rifle. It was a semi-automatic version. As a piece of history, prior to 1986 most AR-15 semi-automatic rifles were made with M-16 fire control components for a couple of reasons. One, mil spec components last longer and work better. Secondly, because of the military market, there was military surplus of components and it was economically cheaper to use those and besides, everybody knows it doesn't work unless you have an auto-sear. But in 1986 what ended up happening is the ATF discovered that with certain ammunitions, under certain circumstances, a firearm could malfunction and fire more than once per function of the trigger when they used these components and then mandated the manufacturer of Olofson's rifle and everybody else in the industry to, hey, we want you to change this, and from this point forward, we advise that you use AR-15 SP-1 style components. It was never law, but the ATF did send it out as a circular to all FFL's and told them to knock it off, so it is documented they were aware of this problem and Olympic was actually subjected to a forced recall where they were forced to recall all the firearms that were built with these. So, they were aware that this was a defect.

Aaron Zelman: Now, you want to talk about the specific types of ammunition that often aid the ATF in creating a firing issue.

Len Savage: Well, sure and what that is, the ATF employs, like I said, many tricks and deceptions and that certainly falls under the category of trick or deception, of using rigged or special ammunition or ammunition not designed for the firearm knowing that the firearm will malfunction. Another piece of history on the AR-15 that will fit here, an AR-15 or an M-16 do not have a firing pin return spring on the firing pin. It, in fact relies on the primer of the cartridge which is a hard military primer to actually shove back the firing pin and put it into position for the hammer to hit it. If you were to install the improper ammunition into this firearm, just the mere pressure of reset on the firing pin could cause the round to go off, most times it would be in battery, which means the bolt is closed and locked at that point, and it could be catastrophic if it happened prior to the bolt being locked. You're going to be wearing an AR-15 bolt carrier for an eye patch. It's extremely dangerous and intrinsic to the firearm, every one of them.

Aaron Zelman: Are there any commercial brands of ammunition available in America that have soft primers?

Len Savage: Oh, Light Magnum, yeah, and it's used for bolt-action, single-shot firearms. It is not designed for the AR-15 platform. Sometimes, there is even a warning on the box, but that's just one of the many deceptions and tricks that they do. Besides special ammunition, sometimes they add conversion devices, which are machine guns in and of themselves under United States Code. Sometimes, they add components that aren't in evidence that wasn't in your possession. They take components from the "National collection" and then add it on your firearm. Sometimes, they machine or modify existing components of your firearm and I have witnessed every one of these. These are the tricks and deceptions they employ. Remember, they're not bound by any procedures. They could do anything they want and frequently do.

Aaron Zelman: Why is it that they can do anything they want and nothing has been done to stop them?

Len Savage: Well, they don't have any written testing procedures and both you and I have tried to raise awareness on this that without any written standardized scientific procedure, they can do outcome-based testing, say hand this piece of evidence off to a firearm's enforcement officer, and say, hey, go make this thing fire full auto and then tell me how you did it and they'll use that as a basis for your indictment and that the criteria

was chosen not to do any testing but just to substantiate whatever they want to say and any semi-automatic firearm can malfunction on its own through modification, certainly could be made into a full-auto weapon and whose doing the wrong act here, you who submitted your semi-automatic M-14 or it was seized and then submitted to ATF and they machine off this part and they go and get parts from this one and then put it in your gun and then with all this manufacturing going on they claim that you were in possession of a machine gun because it was readily restorable because they could figure out how to make it a machine gun. Well, news flash fellows, it's not that hard and any first year gunsmith will figure out that a full auto is far easier to build than a semi-automatic but then that goes into levels of training and other requirements that don't appear to be written anywhere.

Aaron Zelman: This raises two points here. One, when we did the movie **The Gang**, we talked about a Wisconsin congressman, Jim Sensenbrenner, he was the one who killed the legislation when he was in charge of the Judiciary Committee dealing with this type of legislation. There was an opportunity to have truth in testing and again, it was Jim Sensenbrenner who killed it, but this raises another issue, what kind of action needs to be taken?

Len Savage: Oh, we, the people, have a responsibility here to make our voice heard and I'm talking about emails, faxes. Written word is always better but be aware that they are still irradiating all mail going to Washington, D.C., send it locally to your reps, they can get it to them far quicker. We need to start demanding action. Simple requests are not being met and they seem to misunderstand us and think that this is a request. We now have to stand up, we, the people, and demand from our representatives that they fix this.

Aaron Zelman: Why do you suppose it is that we have this long history of Congress not doing any of these things and pretty much letting the Second Amendment be destroyed by a government agency?

Len Savage: Well, let me put it to you this way, Republican, Democrat, House or Senate, most, most in Congress are trying to pretend that they don't know what game the ATF is running on the American people. There are a few exceptions of members who have stood up and maintained holds on the acting director for his ridiculous behavior. There are others like Congressman Gingrey and Lynn Westmoreland who introduced and co-sponsored the Fairness in Firearms Testing Act, which was introduced this session but still went nowhere again. We can only hope that John Conyers can bring it up at some point, so it doesn't matter. Party lines don't matter. Sides of the Congress don't matter. I can't tell you the motivations but I can tell you that they know about it and we keep throwing it up in their face and they keep trying to make the firearm's issue not an issue this election cycle, again. We are going to have to demand some redress to grievance.

Aaron Zelman: This is **Talkin' To America**. My guest today is Len Savage. We are talking about abuses by the ATF and I am your host Aaron Zelman.

Len, I have a question for you. You are a firearm's manufacturer. You have a great deal of knowledge about firearms. How has the ATF used their abuses and dirty tricks against you personally?

Len Savage: Well, unfortunately, the ATF has consistently used its regulatory authority over me as a licensee to lean on me and shut down designs by declaring products unlawful, sometimes retroactively like we spoke about in **The Gang**, even though they were previously approved, and this has a chilling effect on all FFL holders by making an example out of me. The ATF hopes to show the industry and show to them and to the gun culture what happens to those who dare to show Federal Courts their tricks and deceptions under oath and flagrantly violating United States Code while doing it. You know, Title 18, Section 242. They are using their regulatory authority in order to exact vengeance. I mean, it's, this is a civil rights' issue. I mean, they are specifically prohibited from doing this and that means that anytime they put a conversion device on one of my submitted designs in order to say well, this is illegal, it's a machine gun because we can add this conversion device and make it go full auto, that means they contrived that specifically to deny me my Constitutional rights. Think about that for a minute and this really goes back to... people say, well, how is this happening. Well, Nazi law means using Nazi methods of enforcements. In **Gateway to Tyranny**, it's plainly documented that the GCA that

granted police powers to the ATF is Nazi law. There is no gray hair. The GCA is Nazi law written in 1938 and unfortunately, the only way to enforce Nazi law means Nazi methods, secret testing, using their powers to lean on people who speak out against them. I'm not surprised. The law on its face is absolute anti-Constitutional. Ever since reading **Gateway to Tyranny** I guess I have had a shift in attitude. There is no fixing this agency. They need to be disbanded, broken up and people prosecuted.

Aaron Zelman: I guess one point we should make here is that **Gateway to Tyranny** really is a book called "**Gun Control**": **Gateway the Tyranny** and it is a side-by-side documentation of the 1938 Nazi gun control laws and the 1968 Gun Control Act as authored by the late Senator Thomas Dodd of Connecticut and that's available on The **JPFO.org** site. Well okay, so we have a situation where we have a Congress that doesn't care about the Second Amendment being destroyed and the Heller decision, by the way, won't stop any of this in case someone out there is still engaged in a grand fantasy that Heller has solved all of our problems. We have Federal Judges for the most part who don't care about the truth. We have an agency that has made it very clear and maybe you can elaborate on this as to what their definition is of any type of weapon that they consider to be a machine gun, would you like to do that?

Len Savage: Sure. This agency has documented the fact that a shoestring is a machine gun. They tried to take it back and say, no, a shoestring is only a machine gun if tied to a semi-automatic to induce full auto fire, in which case, the shoestring is back to being a machine gun, a conversion device. Any semi-automatic weapon is at risk, any multi-barreled weapon. Your grandfather's double rifle, say you've got somebody whose got a six or an eight bore, and you pull one trigger and both go off, well you've just now fired more than one round per function of the trigger. Same thing for shotguns, side by side, the older ones, how many go off when you tilt them up past a 45-degree angle, no matter which trigger you pull because they don't have a spring for the little bob weight. Over unders, same deal. In essence, criminalizing a culture, criminalizing firearms' possession and all while circumventing the Constitution, United States Congress, Department of Justice and doing what they want. You have to wonder who is writing the agenda.

Aaron Zelman: Well, would you like to comment on what you think the agenda might be?

Len Savage: Disarm the American people. Establish authority through fear, but establishing authority through fear, trying to create a chilling effect on people who testified to the truth, they had better consider that they're checking whether there's gas in the tank by looking in it with a lighted match when they do that. The American people who are tolerant and who historically put up with loads of crap before they say they've had enough, saying that they've had enough. That doesn't mean violence. That could mean going to the voting booth and absolutely turning everything on its ear. It could mean doing nothing but standing on your politician until he gives you in writing his stance on what he is going to do in reining in ATF abuse. I mean, come on, how long does the list have to be, how many Glovers, Wrens, Olfosons, let's see, Horsleys, I can't even keep up with all the names anymore of the people that they've just outright oppressed and I think even though they like to be called BATFE, I think ATF really fits because they are **AMERICA'S TERRORIST FORCE**. They terrorize Americans. How many people after seeing what Glover went through said, you know brother, it just ain't worth owning an AR-15 and sold it after Glover was sentenced. How many people did they through sheer fear, you know, give up their Second Amendment rights, or maybe their First Amendment rights, fear of speaking out on the Internet? You know, what else could be their motivation?

Aaron Zelman: I think what's interesting that you point out is that it makes no difference what political party, assuming there really are two parties, who is sitting in the Oval Office, it makes no difference who is there, we gun owners have no friends in the US government.

Len Savage: We are a despised minority.

Aaron Zelman: Well, I'm glad there's 80 million of us within that minority.

Len Savage: Still the minority and the thing about it is that we're all individualists and rarely stick together because of our individualist's views and our Constitutionalist views, but you know, stranger things have happened. All's I can do is encourage you, anyone who is listening, to contact your Senator and your Congressional reps and tell them, look, where do you stand on this and understand that their vote rides on it. Get it in writing. Ask them what they are going to do. Demand an action plan. Ask them if they have cosponsored the Fairness in Firearms Testing Act. Pester them. Don't stop.

Aaron Zelman: Let's go back to that Act for a second because it is so important. Can you recall what it specifically said the ATF had to do when testing a firearm that Jim Sensenbrenner decided to kill off?

Len Savage: Yeah, the Fairness in Firearms Testing Act demanded that all examinations and testing including live fire is all video documented and is to be provided to the defendant, any editing or loss of the video means the firearm cannot be used as evidence against the person or used against them administratively, i.e. if you were designing something, they didn't want to approve it and they just, you know, lost the video. Guess what, it's invalidated. Do it over. If it's not on video, it didn't happen and it basically brings secret testing out into the light and look at it this way, if every cop car in American has a dash cam, why in the heck is a Federal law enforcement entity who's charged with enforcing Federal firearm's laws, the Federal gun police if you will, not videotaping their examinations and tests and why aren't they making them public to either the defendant in the case or why are they not making it completely public to somebody in the industry. Because the same entity, Firearms Technology Branch is who determines whether or not a product is lawful and classifies it as to what it is, is the same entity who tampers with evidence methodically in Federal cases and then presents it as scientific evidence. They are accredited by no one than themselves. Why is it that their own director of laboratories is not over Firearms Technology Branch? Could it be that they are not a laboratory and could never withstand scientific scrutiny and why isn't Congress asking these questions? John Conyers is a great man and I know him from when I lived in Michigan and he was a true civil rights' advocate. Why is he not jumping up and down and screaming at the ATF to knock this off? How many of his constituents are now in state custody or Federal custody because of ATF monkey business? This is ridiculous how they literally tamper with evidence methodically and then present it in **US versus Kwan**, I was sick. You know, we machined this, we changed that, we added this and hey look, it didn't work, and so we went back and got more parts. Now it's a machine gun, yeah, no kidding, congratulations.

Aaron Zelman: As we come to the end of this interview, why don't we reiterate what you think needs to be done, actually what you know that needs to be done and what do you suggest we do to motivate the American people to follow through and do what's in their own best interest?

Len Savage: I don't know but they need to be aware that there are three responsible entities for this happening. One, foremost, is the current administration and Department of Justice that is currently being administered. Two, Congress, excepting a very few, Congress has even documented ATF nonsense and unplugged hearings. Three, we, the people. We are tolerating it. Start making noise. Start banging pots and pans together, turning on the lights, whatever it takes to get your representatives, your elected representatives and leaders to demand action. Don't request it, demand it.

Aaron Zelman: Who do you think is responsible for the criminal activity of the ATF? I mean, where do they get their marching orders?

Len Savage: That would be directly from the Attorney General.

Aaron Zelman: So the Attorney General of the United States is saying an essentially death to the Second Amendment.

Len Savage: Well, this goes back to Alberto Gonzales. He rearranged the ATF management tree as soon as he got into office and made everything lateral and everything goes up to the acting director then to him. He wanted his finger on it and he was micromanaging everything. It's never been reorganized.

Aaron Zelman: Speaking of the director, what's the latest about Michael Sullivan?

Len Savage: I don't know. Mr. Sullivan still refuses to communicate with me and it's been years now since I have asked him to intervene or to meet with me on this so that we can seek an administrative resolution and I let him know that I was seeking redress to grievance. So I don't know. He doesn't communicate with me even though I'm a licensee and he is mandated by law to communicate with me. Maybe he's spending more than just half his time as a full-time US attorney and trying to do two jobs and ending up doing both of them with 50% of his effort and it shows.

Aaron Zelman: Well Len, I want to thank you very much for being with us today. I hope that every gun owners who owns a semi-auto weapon is fully aware that at the drop of a pin, the ATF could declare your gun to be an illegal, unlicensed machine gun and send you off to prison, so if you're looking for something to do with your time, this is a good project to get involved with and that is bring about the Fairness in Firearms Testing Act, as well as make sure every politician you know actively supports the truth and the Second Amendment. Len, thank you very much for being with us. We appreciate it.

Len Savage: You're welcome.

Aaron Zelman: Take care. This has been **Talkin' to America**. Len Savage has been our guest. I'm your host, Aaron Zelman and please remember, if you won't defend your right, don't complain when you lose them.

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