Gun Overs 32 YEARS OF NO COMPROMISE - 1975-2007

2007 Year in Review GOA Members Make Big Splash on Capitol Hill

by Erich Pratt

"Gun Owners of America has remained a steadfast ally. Their unwavering defense of our rights as Americans is commendable."

- Senator Tom Coburn

First, there was Gun Owners of America and a myriad of state gun rights organizations.

Then, the Military Order of the Purple Heart weighed in.

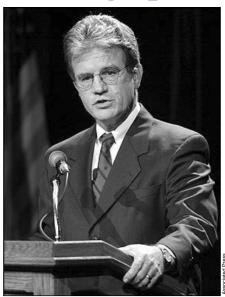
Later, there was the American Legion.

The list of groups that have expressed strong concerns over the Veterans Disarmament Act continues growing, even while Senators in our nation's capital are continuously being *bombarded* by thousands upon thousands of postcards and e-mails from grassroots gun owners like yourself.

With your help this year, Gun Owners of America has led the coalition against this noxious legislation (H.R. 2640 and S. 2084).

GOA has also worked closely with Republican Senator Tom Coburn (OK) who has placed a "hold" on the senate version of the bill, which is being pushed by Senator Chuck Schumer of New York. The "hold" is a parliamentary procedure that delays or temporarily blocks legislation from advancing.

Your efforts have *immensely strengthened* the hand of Senator Coburn. In an article entitled, "Coburn's block may change strategy for gun bill," a Capitol Hill-based newspaper reported in October that frustra-



Pro-gun champion Sen. Tom Coburn (R-OK)

tion is building over Coburn's "hold" on the legislation.

"We've tried to negotiate," Schumer said, adding that talks with Coburn are "not getting that far. We might have to bring it to a vote."

But the newspaper article in *The Hill* stated that taking a recorded vote on the Veterans Disarmament Act could "complicate its initially strong prospects" of passage. As reported in *The Hill*:

The National Rifle Association (NRA) supports the bill, which its board member and House Energy and Commerce Committee Chairman John Dingell (D-Mich.) helped to craft, but the Gun Owners of America (GOA) has backed Coburn and mobilized its grassroots against the measure....

Coburn also has objected to what he and the GOA — which dubbed the bill the "Veterans Disarmament Act" — believe is the risk of inadvertently placing veterans treated for mental illness into the backgroundcheck system, thus endangering their ability to buy a gun.

The Military Order of the Purple Heart and the American Legion both have backed Coburn's effort. But GOA Executive Director Larry Pratt said his group remains opposed to the background-check system in general, viewing it as an infringement on the civil liberties and privacy of gun owners. "This would be an objection we'd have even after all these [concerns of Coburn's] are taken care of," Pratt said.

Coburn stalls gun bill in Senate

Because of Coburn's actions, the Veterans Disarmament Act has been stalled in the Senate for some time. But not content to remain silent, Sen. Coburn sent a pointed letter to officials at the Department of Veterans Affairs, asking them to justify their actions.

Coburn states that Veterans Affairs continues to send the names of "approximately 1,000 additional veter-

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- Gun Owners of America wins huge victory in the Supreme Court (page 4)
- Are you being lied to about the Veterans Disarmament Act? (page 6)

2007 Year in Review

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ans" to the Department of Justice every month. According to the Congressional Research Service, Coburn says, this has resulted in "approximately 140,000 Veterans" being added to the NICS background check system.

"This situation is concerning to me," he continues, "as the vast majority of these veterans have committed no crime." Coburn correctly notes that if a veteran should continue to own a firearm, he could "unknowingly be in violation" of federal law. And the BATFE takes the position that, if a veteran is barred from owning a gun, then everyone in his family is also "constructively" barred.

Interestingly, Coburn notes that the VA gun ban for veterans is not based on a veteran being a "danger to him/herself or others" but rather for supposedly being "unable to manage one's own affairs."

Coburn ends his letter with a very pointed request: "I respectfully request that you share with me your plans to prevent the release of more veterans' names without due process."

Denying gun rights without due process

That's the key: most of these brave souls are being denied their gun rights *without due process*. Some have claimed that this bill would provide relief for those who are being unjustly denied. Of course, this is very questionable since Congress has, since 1993, defunded the ability of the BATFE to restore the rights of veterans and other victims of gun control under current law. (This is the result of a Chuck Schumer amendment.)

Certainly, GOA would support avenues to provide relief. But the Veterans Disarmament Act is not the vehicle to do this, since the bill actually *changes* federal law to *legally ban* those 140,000 veterans from owning firearms.

Once the bill is enacted and those veterans and other Americans are legally disarmed, the bill then provides some limited avenues for pursuing relief although Americans will face an uphill battle as they will have to spend tens of thousands of dollars pressing their case

An American Hero



GOA Life Member Joel Myrick. It was ten years ago this past October that Assistant Principal Joel Myrick saved countless lives when he used a Colt .45 at his Pearl, Mississippi high school to save the lives of countless students. Ignoring laws which could have punished him for possessing a gun on campus, Myrick pointed his gun at the young killer, Luke Woodham, and stopped him from continuing his shooting spree. One law-abiding adult with a gun prevented the southern town from becoming like Virginia Tech.

in court where *they will have the burden of proving their innocence*. This is the reverse of a criminal trial where the burden of proof is on the government.

Do you get the idea that maybe Senator Schumer is looking for an easy way to disarm gun owners?

Even if these expensive court battles prove successful, veterans are still not guaranteed to get their gun rights back. decade." So it's no wonder that the Brady Bunch is plugging so hard for this bill.

Sarah Brady wants this bill bad. Her organization led a bunch of Virginia Tech survivors to Chuck Schumer's office in October to get media attention in favor of the Veterans Disarmament Act.

And she sent out an e-mail that same month urging members to donate to her organization, thus helping to get the McCarthy-Schumer bill passed.

"In July, the U.S. House of Representatives took a courageous first step to keep guns out of the wrong hands by passing HR 2640, the NICS Improvement Act," Brady said. "The Brady Campaign is working full force to convince the U.S. Senate to pass this bill immediately."

GOA victory over Brady Bunch to have huge ramifications

The Veterans Disarmament Act is not the only battle where GOA has locked horns with the Brady Campaign in recent months.

Shortly after last year's elections, the Brady Campaign asked the Federal Election Commission to investigate GOA's practice of posting its candidate ratings on the Internet. Sarah Brady & Co. was challenging GOA's right to do this under the infamous McCain-Feingold Incumbent Protection Act.

Millions of gun owners rely on GOA's candidate ratings, and that is

"The Gun Owners of America (GOA) has backed Coburn and mobilized its grassroots against the [Schumer-McCarthy] measure." — The Hill, October 3, 2007

Sen. Schumer can simply offer another amendment which defunds the ability of the FBI to remove names from the NICS system, just as his 1993 amendment still prevents the federal government from granting relief *to this day*.

Sarah Brady is lobbying hard for the McCarthy-Schumer legislation

Several news agencies have stated that passage of the Veterans Disarmament Act would represent the "first major gun control law in more than a something the Brady Bunch would like to halt.

To combat Brady's efforts, Gun Owners of America filed an *amicus* (friend of the court) brief before the U.S. Supreme Court in a similar case — the outcome of which was decided earlier this year. GOA led a coalition of similar organizations in *FEC v Wisconsin RTL*, and the U.S. Supreme Court ruled in our favor.

As a result, the FEC dismissed the Brady's complaint against GOA in

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GOA Leading the Way Against the Veterans Disarmament Act

"Gun Owners of America ... [views] the bill as a Pandora's box of restrictive gun control laws, and the group has launched grassroots efforts across the nation, backed by military groups such as the Military Order of the Purple Heart and the American Legion." — The Politico, October 15, 2007

"[The] more vociferous rival, Gun Owners of America... has long opposed McCarthy's backgroundcheck bill." — *The Washington Post*, June 9, 2007

"The Gun Owners of America [has] already launched a public campaign to block the [McCarthy] legislation that the NRA supports, warning that the proposal could 'block millions of additional, honest gun owners from buying firearms."" — Newsweek, April 24, 2007



GOA's Larry Pratt met with Rep. Doug Lamborn of Colorado (right) and other Republicans on the Hill this year to discuss the perils of Carolyn McCarthy's Veterans Disarmament Act.

"Another gun rights group, the Gun Owners of America, is adamantly opposed to the [Veterans Disarmament] legislation. It said the measure would allow the government to trample privacy rights by compiling reams of personal information and potentially bar mentally stable people from buying guns."

-Associated Press, April 23, 2007

"McCarthy told *Newsweek* that she was pleasantly surprised to hear of the NRA's public position, noting that an executive of the Gun Owners of America had met with House Republicans this week to gin up opposition to her measure. 'I have a feeling that this is their [the NRA's] way of showing they can be moderate,' she said."

— Newsweek, April 24, 2007

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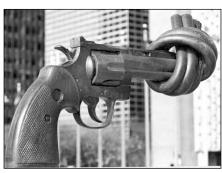
October and ruled that GOA had not violated anything in federal law (including the Incumbent Protection Act).

In 2002, the Brady Campaign rejoiced when Congress passed the McCain-Feingold law, stating that "now the gun lobby's stranglehold on Congress will be broken." No doubt, they want to make it illegal for GOA to tell gun owners what their legislators are actually doing.

But it should not surprise anyone that a group which doesn't understand the Second Amendment does not understand First Amendment freedoms either.

Gun Owners of America will continue standing up to the Brady Campaign in 2008 ... taking the fight to TV talk shows ... and letting every member of Congress know that our gun rights are not negotiable.

The Veterans Disarmament Act is not



In recent months, GOA has been fighting the Law of the Sea Treaty (LOST). Among other things, LOST could allow the UN to force the closing of firing ranges based on the bogus argument that runoff from these ranges pollutes the world's oceans.

the only threat we will face. There are semi-auto bans and gun show bans plus threats from the BATFE, the United Nations and more.

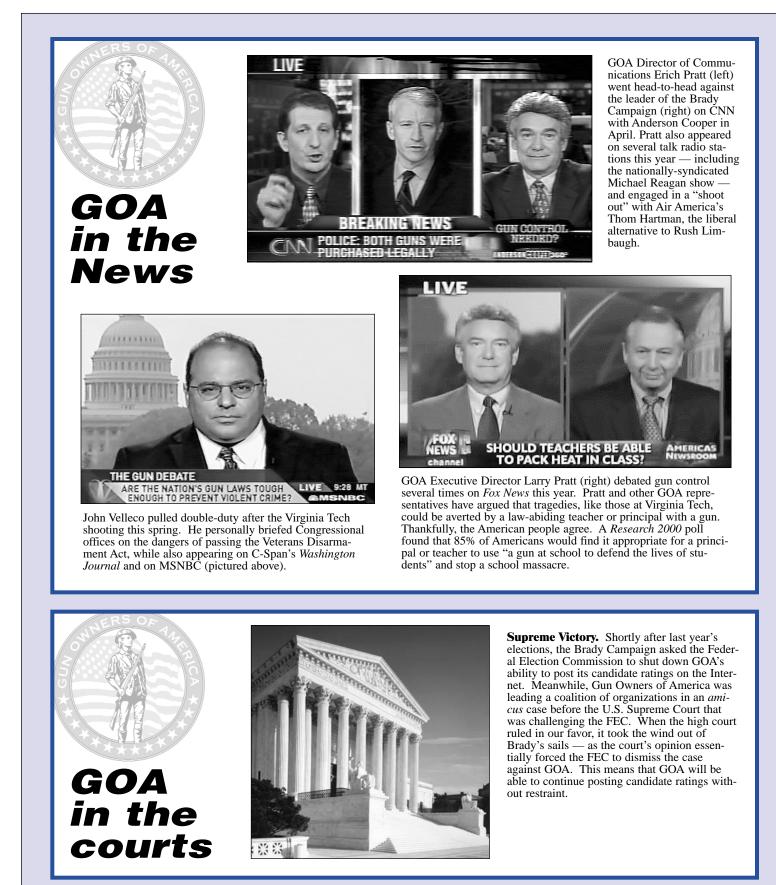
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GOA will continue to keep you upto-date on all the gun news that could threaten your rights.

So please stay with us. You'll definitely want to get our Candidate Rating in October of next year. The fact that Sarah Brady doesn't want you to have it is all the incentive you need to want one.

GOA needs you more than ever. Please stay with us for another year.

GOA has built a special section on its website to inform gun owners of the dangers in the Veterans Disarmament Act. Please go to www.gunowners.org/netb.htm to learn what are the specifics of the bill, who are its main supporters, what are answers to claims made by proponents of the bill, who faces the greatest risk of being disqualified for buying a gun, and more.

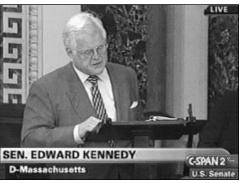




GOA on Capitol Hill



Killing an anti-gun Kennedy bill. In June, GOA helped kill an immigration bill that was sponsored by Senator Ted Kennedy (D-MA). The bill contained harmful language which, in the hands of a future antigun administration, would have allowed gun shops to be shut down and classified as "criminal gangs." GOA ginned up the grassroots in favor of a killer amendment that brought the debate over the anti-gun amnesty bill to a screeching halt. That one amendment was credited by Capitol Hill insiders as being *the biggest* reason the bill was defeated by a 53-46 vote in the Senate.



Stalling the Veterans Disarmament Act. Gun Owners of America worked closely with Republican Senator Tom Coburn of Oklahoma this year. Coburn (left) dramatically slowed down the bill using parliamentary maneuvers, and GOA's Larry Pratt (right) has directed a grassroots strategy in opposition to the bill that has generated a tremendous tidal wave of postcards, letters and emails into congressional

offices.



GOA working to outlaw gun confiscations. After National Guard troops and police stole firearms from peaceful New Orleans residents in 2005, GOA has worked to get Emergency Protection Bills passed in several states (and at the federal level). This past year, GOA helped Arizona and Montana to become the most recent states to outlaw the confiscation of firearms during a state of emergency. More than a dozen states have now enacted such laws.

GOA in the States

GOA speaks to Pennsylvania legislators and activists. GOA's Executive Director, Larry Pratt, traveled to the Pennsylvania State Capitol in Harrisburg to be the keynote speaker at an April rally by pro-Second Amendment groups in the state. Pro-gun groups and legislators have been particularly effective in Harrisburg, the state capital.



Are Senate Offices Lying to You? – Some are claiming there is no Veterans Disarmament Act!

by Erich Pratt

It's either an enormous bald-faced lie, or it's ignorance at its worst. But then again, whether it's deception or just plain ignorance ... either scenario is found quite commonly on Capitol Hill.

Some senate offices are telling people the Leahy-Schumer bill is only a bill about "school safety" and not a bill about disarming veterans.

"This is not a Veterans Disarmament Act," some offices have told GOA staff. "The bill doesn't say anything about veterans." And one particular office that of Republican Senator Orrin Hatch of Utah — is selectively quoting provisions in the bill to justify his support for the Veterans Disarmament Act.

These arguments have been repeated in different places and at different times. There is even a military website where a broadcast journalist makes the same outlandish claim that, "There is no such thing as the 'Veterans Disarmament Act.""

But just like journalists shouldn't attempt brain surgery, neither should they try to understand difficult pieces of legislation without an intimate knowledge of the federal code and regulations which are referenced in those bills.

After all, it takes more digging than just doing a word search for the word "veteran" to understand there are dangers hidden in the McCarthy-Schumer bill which would ban hundreds of thousands of military veterans from owning guns. While it's not surprising that a journalist would fail to do this kind of homework, it is surprising that congressional offices would use such an amateurish argument to deflect criticism of a bill.

Of course, the bill doesn't say "Veterans Disarmament Act." (That's a phrase that was coined by Gun Owners of America.) Does anyone really think that Schumer & Co. are going to tell us that their true intentions are to disarm veterans!

Heck no. They call it a "school safety" bill, when the real goal of their measure is to disarm gun owners and veterans around the country.

The history of legislation in the 20th Century has taught us that legislation if not carefully crafted — can be easily twisted and abused. Remember how the RICO Act, originally enacted to help combat the Mafia, was later used to crack down on peaceful pro-life protesters?

And who would have thought, when the original Brady law was passed in 1993, that it would be used to keep people with outstanding traffic tickets from buying guns ... or couples with marriage problems from buying guns ... or military vets with nightmares from buying guns?

Those who want to claim that there is no "Veterans Disarmament Act" ignore, first of all, that up to 140,000 veterans have *already been disarmed* by using twisted interpretations of the federal code! That figure was released on August 1 by Congress' own research team — the Congressional Research Service.

Furthermore, the so-called "school safety" bill that Senators Patrick Leahy and Chuck Schumer are pushing would *legitimize* the very practice that began with President Clinton, when his administration began adding military vets onto the NICS roles. (The bill is numbered H.R. 2640 in the House and S. 2084 in the Senate.)

The Veterans Disarmament Act DOES CHANGE federal law

The fact is, this legislation rubberstamps regulations that have been issued by the BATFE over the years. The net result is that Section 203(2) of S. 2084 ends up outlawing guns for millions of people (including veterans) who are not "currently prohibited" from owning guns.

You can go to <u>www.gunowners.org/</u><u>ne07013.htm</u> to see in greater detail how these regulations will drive the implementation of the Veterans Disarmament Act.

The bottom line is that this bill will ban a person from owning guns because



Michael McLendon is the former Deputy Assistant Secretary for Policy in the Department of Veterans Affairs. He recently told GOA that the Veterans Disarmament Act is a huge concern for veterans because there are so many of them who are being diagnosed with Post Traumatic Stress Disorder (PTSD). McLendon points out that many, if not most, of these vets are well functioning, but few people at Veterans Affairs seem concerned about the ramifications of labeling soldiers who are in their 20s with such a stigma — a stigma that could result in forever losing their gun rights under the Veterans Disarmament Act.

he or she was merely diagnosed with post-traumatic stress disorder, Alzheimer's, ADHD or bipolar disorder by a government psychologist or psychiatrist in the VA, Medicare, or the IDEA program. This is because the Veterans Disarmament Act will *codify* regulations that BATFE has issued. (Again, see the referenced URL for more details.)

False attempts at defending the veterans' gun ban

Nevertheless, those who merely do word searches for "veteran" — and thus conclude a bill has nothing to say about veterans — try to defend what the Clinton administration did. Take Senator Hatch. He says, the Veterans Disarmament Act specifically excludes "any finding of mental illness that consists only of a medical diagnoses [sic] from being included in the NICS."

What Hatch is doing is quoting (or referencing) half a sentence in the bill to make the supposed argument that veterans who are only suffering from PTSD will not fall prey to the gun ban, since they are only subject to a "medical finding of disability."

This is a partial quote from Section 211(c)(1)(C) of S. 2084, which is dupli-*Continued on page 7*

Senate Offices Lying

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cated in the House bill. But to say this — that people can't lose their gun rights based solely on a "medical finding of disability" — is to engage in an outright fraud ... because the rest of the sentence in the bill says that they can be added into the NICS system if they represent a miniscule danger to themselves or others or are unable to handle their own affairs.

The legislation states that a person can't lose their gun rights "based solely on a medical finding of disability, *without a finding that the person is a danger to himself or to others.*" (Emphasis added.) You see that? What little freedom is protected with the one hand, is destroyed with the other. What government shrink isn't going to say that a person suffering from PTSD is a potential danger — even a teensy, weensy danger — to himself or others?

A BATFE letter from May 9 of this year indicates that this danger does not have to be a substantial threat; it can be just a *miniscule* danger. (This letter can be read on the GOA website at the URL below.)

Yes, this gets slightly technical. But it helps to actually read entire sentences in the bill, rather than to selectively quote a passage here or there; and it especially helps to read the underlying federal code and regulations.

That's why Gun Owners of America has posted the entire bill and a scholarly point-by-point analysis of the Veterans Disarmament Act — on its website. By going to http://www.gunowners.org/netb.htm and reading this information for yourself, you can stay informed on the very real threat posed by this legislation.

When you read through this section, you will understand why the American Legion and the Military Order of the Purple Heart have both opposed this bill. You will also see the PDF copies of their two letters of opposition, and see Sen. Tom Coburn's letter which he sent to officials at Veterans Affairs in October. Sen. Coburn asked them to explain how they plan to prevent even more veterans from being disarmed without due process.

On October 18, USA Today stated that veterans are seeking mental health treatment in increasing numbers ... by an almost 70% jump in a recent 12month period. Can you see why Senator Chuck Schumer and Rep. Carolyn McCarthy want this legislation so bad? Hundreds of thousands of veterans are going to be unknowingly sucked into the gun control dragnet.

This is outrageous and is why your Senators need to keep hearing from you on this issue.

Mike Hammond contributed to this article.

HIT THE RIGHT TARGET! Give to Gun Owners Foundation

In many federal offices there are subtle (and sometimes not so subtle) pressures to give to the Combined Federal Campaign. Your boss may think his prestige depends upon getting everyone to kick in. The same thing happens in all too many corporations during the United Way fundraising drive.

You may have wanted to give but couldn't find a group that wasn't attacking your rights, let alone defending them, on the list of participating organizations. But that has all changed!

Federal employees now are able to designate **Gun Owners Foundation (GOF)** as the recipient of their gifts to the Combined Federal Campaign. Use **Agency Number** 10042 for **Gun Owners Foundation** when you make your Combined Federal Campaign pledge or donation. Your gifts will go toward helping our legal assistance program protect the Second Amendment rights of Americans across the nation.

Also, if you work for a company that participates in the United Way, you too, may be able to designate that your gift be to **Gun Owners Foundation**. Many local United Way Campaigns allow **Gun Owners Foundation** to participate through their Donor Choice Programs. Some, however, do not. Check with your local United Way Agency. You will not only be helping people and protecting your rights, but you will also get a tax deduction.

Of course, anyone can always make a tax-deductible donation at any time to **Gun Owners** *Foundation* by sending the contribution directly to 8001 Forbes Place, Suite 102, Springfield, VA 22151.

One additional note. If you are employed by a corporation or organization which has a Matching Gift Program, please keep **GOF** in mind when making your donation. Thank you very much.





An Open Letter to the Pro-gun Community

from Sen. Bill Richardson (Ret.), Larry Pratt and Mike Hammond

It may be a cliché, but it is true: This letter is written not in anger, but in sorrow and concern. It is written to our friends about NRA staff who, tragically, have taken a course which, we believe, would be disastrous for the Second Amendment and the pro-gun movement.

Two of us are Life Members of the NRA — one of whom was an NRA board member for over ten years. And our legislative counsel was a paid consultant for the NRA.

So we certainly have no animus against the NRA staff, much less our wonderful friends who are NRA members.

In fact, over the last thirty years, GOA and its staff have worked with NRA to facilitate most of our pro-gun victories — from McClure-Volkmer to the death of post-Columbine gun control to a gun liability bill free of antigun "killer amendments."

But those who staff the NRA, without consulting the membership, have now made a series of strange and dangerous alliances with the likes of Chuck Schumer, Carolyn McCarthy, and Pat Leahy. And we believe that, if allowed to continue, this will produce anti-gun policies which the NRA staff will bitterly regret.

Christ said, in the Sermon on the Mount, that "by their fruits, ye shall know them." And, frankly, these fruits are not likely to produce much pro-gun legislation.

Substantively, the Leahy/McCarthy/ Schumer bill, which NRA's staff has vigorously supported without consulting with its membership, would rubberstamp the illegal and non-statutory BATFE regulations which have already been used to strip gun rights from up to 140,000 veterans. It would also allow an anti-gun administration to turn over Americans' most private medical records to the federal instant check system without a court order.

But perhaps even worse, the bill was hatched in secret, without hearings or testimony, and passed out of the House without even a roll call. And now, the sponsors are trying to do the same thing in the Senate — in an effort to ram the bill through without votes or floor debate, led by anti-gun Senator Chuck Schumer. If it is good legislation, as its proponents claim, why such fears of a roll call vote or debate in committee?

Indeed, in the face of horrific dissent from the NRA's own membership, its staff has tragically ignored arguments and dug in its heels — in an almost "because-we-say-so" attitude. Understand this:

- Passage of McCarthy/Leahy/Schumer will not quell the calls for gun control. To the contrary, it will embolden our enemies to push for the abolition of even more of our Second Amendment rights. Already, the Brady Campaign has indicated its intent to follow up this "victory" with a push for an effective ban on gun shows.
- Passage of McCarthy/Leahy/Schumer will not be viewed as an "NRA victory." To the contrary, once the liberal media has used the NRA staff for its purposes, it will throw them away like a used Kleenex. Already, an over-confident press is crowing that this is the "first major gun control measure in over a decade."
- Taking the BATFE's horrifically expansive unlawful regulations dealing with veterans' loss of gun rights and making them unchangeable congressionally-endorsed statutory law is NOT "maintaining the status quo."
- We are told that the McCarthy/Leahy/

Schumer bill should be passed because it contains special provisions to allow persons prohibited from owning guns to get their rights restored. But there is already such a provision in the law; it is 18 U.S.C. 925(c). And the reason why no one has been able to get their rights restored under cur*rent law* is that funds for the system have been blocked by Chuck Schumer. It is no favor to gun owners for Chuck Schumer — the man who has blocked funding for McClure-Volkmer's "relief from disability" provisions for 15 years — to now offer to give us back a tepid version of the provisions of current law which he has tried so hard to destroy.

Finally, there is the cost, which ranges from \$1 billion in the cheapest draft to \$5 billion — to one bill which places no limits whatsoever on spending. Thus, we would be drastically increasing funding for gun control — at a time when BATFE, which has done so much damage to the Second Amendment, should be punished, rather than rewarded.

We would now respectfully ask the NRA staff to step back from a battle with its membership — and to join with us in opposing McCarthy/Leahy/ Schumer gun control, rather than supporting it.

And, to our friends and NRA members, we would ask that you take this letter and pass it onto your friends and colleagues.

Sincerely,

Senator H.L. "Bill" Richardson (Ret.) Founder and Chairman

Larry Pratt Executive Director Michael E. Hammond Legislative Counsel



Sen. H.L. Richardson (Ret.) Founder and Chairman

> **Tim Macy** Vice-Chairman

Larry Pratt Executive Director

Erich Pratt Director of Communications

John Velleco Director of Federal Affairs GUN OWNERS OF AMERICA 8001 Forbes Place, Suite 102 Springfield, Virginia 22151 703-321-8585 Web Site: http://www.gunowners.org

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