

# THE Gun Owners

35 YEARS OF NO COMPROMISE – 1975-2010

## GOA Victories in 2010 Elections

by John Velleco

Gun Owners of America scored tremendous victories from coast to coast in the 2010 elections.

Although anti-gun Majority Leader Harry Reid managed to hang on to his seat, he will be joined in the Senate by new members who actually respect and cherish the Second Amendment.

Senator-elect John Boozman of Arkansas served for ten years in the House and is a proven friend to gun owners, earning an A+ rating from GOA for his leadership in gun rights issues.

In Kentucky, GOA supported Dr. Rand Paul through both a grueling primary and a general election, with GOA being the only national gun rights group on his side. Dr. Paul not only opposes any new anti-gun laws, but also supports removing unconstitutional restrictions that are on the books.

And in a race that now seems like a distant memory, GOA alone exposed the anti-gun record of soon-to-be-former Senator Bob Bennett of Utah. Bennett went down in defeat in a Republican convention in May, and his seat will now be filled by pro-gunner Mike Lee.

Given the enormous amount of influence each Senator enjoys, the addition of just three new members who care about

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### GOA in the trenches



Vicky Hartzler and GOA's John Velleco (immediately to her right) discussing the voting record of 34-year incumbent Ike Skelton at a gun store in Sedalia, Missouri. When Skelton tried to spread misinformation about Vicky's pro-gun record, GOA put the word out to tens of thousands of gun owners and sportsmen and helped to take out the gun rights compromiser.

## 2010: The Year in Review

### GOA Members Force Improvements in Gun Laws

by Erich Pratt

Two years ago, freedom lovers were fearing the worst. With the election of Barack Hussein Obama, Americans rushed to gun stores and generated a buying spree which created shortages of firearms and ammunition around the country.

We were facing desperate odds. Nancy Pelosi and Harry Reid were in charge of the legislative branch, and with the election of Obama, everyone understood that our system of checks and balances would be stifled as long as one radical wing of a single party was in control.

But even with the deck stacked

against us, Gun Owners of America began working with friendly congressmen to get good legislation passed.

The first significant victory involved the repeal of the gun ban in our National Parks. GOA worked with Senator Tom Coburn to craft an amendment which would repeal the ban and then we helped push it through the Senate on a 67-29 vote.

The Coburn amendment was attached to a "must pass" bill that eventually became law in February of this year.

#### GOA involved in the courts

Next, Gun Owners of America pro-

vided additional arguments in two cases which were decided favorably by the U.S. Supreme Court. The most significant one, from a gun owners' perspective, was the *McDonald v. Chicago* case that was decided in June.

The *McDonald* case was a direct outcome of the *DC v. Heller* case from 2008 where the Court struck down the gun ban in our nation's capital — a case where GOA was involved as well.

In *McDonald*, the Court ruled against the Windy City, declaring their gun ban to be unconstitutional. Not only did this case directly benefit the citizens of Chicago, the ripple effects from this

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## GOA Victories in 2010 Election

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liberty will make a big difference in protecting and preserving gun rights.

GOA also went around the country before the election hunting for dogs—Blue Dogs, that is.

Blue Dogs are so-called conservative, pro-gun Democrat members of the House of Representatives who nevertheless put Nancy Pelosi in the Speaker's chair.

Most of them voted for ObamaCare despite repeated warnings from GOA that the government could use a medical records database to disarm law-abiding citizens without a trial.

Most of them also voted for the DISCLOSE Act, which would hamper the ability of groups like GOA to criticize an incumbent's voting record in the



**In addition to congressional races, GOA made key endorsements in several state level races, including Governor-elect Nikki Haley in South Carolina.**

months leading up to an election. Far from bringing transparency to the political process, this bill would actually shield politicians from their constituents while forcing private groups to disclose their donors.

And most of the "Blue Dogs" voted against protecting gun rights in national parks.

Armed with these bad voting records, GOA went into dozens of districts to inform gun owners of their congressmen's true positions.

In Missouri's Fourth District, GOA went after one of the longest serving gun rights compromisers, Ike Skelton. A 34-year veteran of the House, Ike had not had a competitive race in



**Alabama Senator Jeff Sessions (left) with Representative-elect Martha Roby and GOA Director of Federal Affairs John Velleco on the road in Alabama's 2nd District. Roby defeated Blue Dog Democrat Bobby Bright on Election Day.**

many years.

GOA supported "A" rated former State Rep. Vicky Hartzler. When Skelton tried to spread misinformation about Vicky's pro-gun record, GOA put the word out to tens of thousands of gun owners and sportsmen and helped to take out the entrenched incumbent.

Paul Kanjorski was a Blue Dog Democrat who had been elected thirteen times in Pennsylvania and who claimed to support the Second Amendment. GOA, which supported Hazelton Mayor Lou Barletta in the race, pointed out Kanjorski's long list of gun rights compromises. Lou won with 55% of the vote.

Another long-time Democrat went down in defeat in Virginia's Ninth District. Rick Boucher had a lot to answer to voters for in this conservative, rural district. In 2008, he invited then-candidate Barack Obama into town and assured voters that Obama would not be a radical leftist.

GOA was the only national gun group willing to oppose Boucher and support Morgan Griffith for this seat. Griffith, who served as Majority Leader in the state House of Delegates, won with just over 51% of the vote.

This is just the tip of the iceberg. In all, GOA helped to elect nearly fifty new members of Congress.

And the message GOA representatives heard across the country could be summed up in the words Rand Paul delivered in his victory speech: "We've come to take our government back."

The voters who created the 2010 political earthquake are Patriotic Americans who want to see the federal government put back within the framework created for it by the Founding Fathers. That framework is the U.S. Constitution, and contrary to the opinions of elitists in Washington, the voters aim to make the Constitution relevant again.

With their votes, the people said that the Constitution is not a dusty relic of a bygone era that is ever changing over the course of time.

The people said, with their votes, that the Founders knew exactly what they were doing when they laid down the rules for the federal government—that the Constitution was created to limit the of power government, not to give it unlimited power over the lives of every individual.

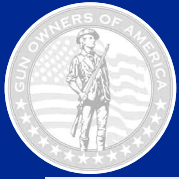
In the voting booth, the people



**Representative-elect Bill Flores (right, seen here with GOA's John Velleco) defeated 20-year incumbent Chet Edwards in Texas' 17th District.**

reminded the politicians of who works for whom. That the government was not created to serve itself, but to serve the people, from whence comes its derived powers.

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## What the Good Guys are Saying About GOA

### On killing anti-free speech legislation that would hamper GOA.

“Gun Owners of America has been one of the key players in opposing the DISCLOSE Act.”

— Rep. Paul Broun (R-GA),  
June 18, 2010

### On not compromising on the DISCLOSE Act.

“I support Gun Owners of America, which is a consistent and uncompromising defender of the Second Amendment, not a weak little girl of an organization protecting itself while throwing everyone else under the bus.”

— Erick Erickson of RedState.com,  
June 14, 2010



**“The real gun lobby in Washington is the GOA...”**

— Senator Tom Coburn



## What the Opposition is Saying About GOA

### On winning minor, gun rights improvements in ObamaCare.

“Score one for the Gun Owners of America, a lobby group positioned well to the right of the National Rifle Association.”

— *Slate* magazine,  
December 20, 2009

### On being the 800 pound gorilla in the 2010 elections.

“The GOA could influence the [health care] reform debate. GOA has thrown itself wholeheartedly into the battle ... pledging to help oust ‘RINOs’ and other insufficiently trigger-happy Republicans in the 2010 primaries — and to go after conservative Democrats, too.”

— *Mother Jones*, December 9, 2009

## GOA Victories in 2010 Election

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And the people reminded the politicians that the sole purpose of this government is to protect the unalienable, fundamental rights of the people.

Now, the big question. Did the politicians get the message?

Many probably did not, and many of those going to Washington with all good intentions will undoubtedly be sucked in by the trappings of money and power and fall by the wayside.

But the electorate, which was so vigilant during the election season, will remain so when the new Congress is sworn in next January.

Republicans have again been entrusted with at least partial control of Washington, and they will face a watchful and impatient electorate in twenty-three short months. Newly elected members had better set about doing what they were elected to do: protect and defend the Constitution. ■

## 2010: The Year in Review

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case are already being felt across the nation.

Take a recent case in October, when a Wisconsin judge used *McDonald* to rule the Badger State’s ban on concealed carry unconstitutional!

Judge Jon Counsell said he “agrees with Justice Clarence Thomas’ *McDonald* concurrence and application of the Fourteenth Amendment to this matter. In essence, no State shall abridge the privileges and immunities of citizens of the United States. As Justice Thomas demonstrates, the right to keep and bear arms is a fundamental right, not created by the Second Amendment, but secured or recognized by it.”

This appeal to the “privileges and

immunities” of American citizens is exactly the argument that Gun Owners made in its *amicus* brief before the *McDonald* court. Every penny spent on bringing the *McDonald* case into the courts was worth it!



**Judge Jon Counsell ruled that Wisconsin’s ban on concealed carry was unconstitutional.**

The other case was *Citizens United v. FEC* which struck down major parts of the Incumbent Protection Act — otherwise known as the McCain-Feingold law. This case struck down restrictions that would have hampered GOA’s use of electronic media to criticize legislators’ voting records within the weeks leading up to an election.

Unfortunately, Pelosi and Reid tried to slam the door shut on this newly gained freedom by pushing the so-called DISCLOSE Act through the Congress. This bill — which would place all kinds of impediments upon GOA’s abil-

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# GOA in the News

USA TODAY Wednesday, March 3, 2010

## Opposing view: Gun controls cost lives It's unconstitutional to enact restrictions on law-abiding people

By Erich Pratt

Chicago resident Ronyale White called 911 four times in 2002 when her estranged husband was trying to kill her. When the police finally arrived, they found this mother of three dead on the floor — a mute testimony to the failure of gun control.

That same, tragic story has been repeated many times over in a city that frequently competes for the title of being the nation's murder capital. But all that could end if the Supreme Court rules against Chicago's handgun ban in *McDonald v. Chicago*.

Gun Owners of America hopes this will be the case.

Support for gun control is at its lowest level in recent memory, according to the latest polls. But gun control supporters — like those at USA TODAY — want to walk a tightrope, claiming that Americans can enjoy the right to keep and bear arms while being subjected to "reasonable" gun controls. That's like saying that African-Americans in the 1950s could enjoy the right to vote ... as long as they paid a little old poll tax.



In addition to appearing on thousands of media outlets and news stands this year, GOA spokesmen also traveled to several pro-gun events. Here, GOA's Larry Pratt rallies the troops at a huge Second Amendment gathering on the National Mall in Washington, DC.

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Every  
lives all across the country. Recently, a store owner in Louisiana shot and killed an attacker who jumped him in the parking lot; a thug was fatally shot in Kansas after assaulting a man at a car wash; and in Arizona, a gun owner defended himself against four attackers who police said were beating him with a baseball bat.

Without the right to carry firearms aw  
these cases would have turned out differ  
Guns save lives — the lives of the law-ab

Erich Pratt is the Director of  
Communications for  
Gun Owners of America.



Erich Pratt



# GOA on Capitol Hill

Gun Owners of America led the way in fighting the biggest gun battles in this Congress. GOA fought the anti-gun ObamaCare legislation for over a year and was even able to win some minor concessions. Having opposed the final legislation, GOA will be supporting a repeal in the upcoming Congress.

GOA also fought a solo battle to defeat the so-called DISCLOSE Act which would hamper the ability of groups like GOA to expose the anti-gun voting records of Congressmen before an election.

"Gun Owners of America (GOA) has been alone on the national stage in warning of the dangers of centralized health care to the rights of gun owners."

— *Examiner.com*,  
September 3, 2009





## GOA in the Courts



Larry Pratt, Executive Director of GOA, discussed the impact of the *McDonald v. Chicago* decision with Judge Andrew Napolitano of Fox Business News. Both GOA and Gun Owners Foundation submitted *amicus* briefs in this case.

GOA was quite involved this year, having submitted *amicus* briefs in two cases that went before the U.S. Supreme Court.

Gun Owners also testified against Supreme Court nominee Elena Kagan and lobbied Senators to within four votes of defeating the nomination. Defeating a Supreme Court justice is one of the hardest things to do in Washington, and the four vote margin we achieved is the closest we've ever gotten!

Readers of *The Gun Owners* may remember our pledge in the July 2010 issue, promising to put the heat on Senator Jon Kyl (R-AZ) who had told the press he might not support a filibuster of her nomination. GOA went into the Grand Canyon State and generated a firestorm of protest.

Kyl, who had already voted once for Kagan as Solicitor General, changed his mind and voted against Kagan.



GOA successfully lobbied Senator Jon Kyl (R-AZ) to oppose Elena Kagan for the Supreme Court.



## GOA in the Elections

GOA supported scores of victorious candidates who will arrive as freshmen on Capitol Hill in January.

For 20 years, GOA has been the only gun group publishing an open-source national rating for gun owners to use. Our rating has been so devastating in smoking out the anti-gun bias of phony politicians that the Brady Campaign even took us before an administrative court three years ago to try and silence us. They lost.



GOA Director of Communications Erich Pratt with Representative-elect Morgan Griffith (R-VA) who knocked off a 28-year incumbent in November.



Senator-elect Rand Paul (R-KY) is planning to shake up the establishment in Washington, DC. Here he meets with GOA's John Velleco.

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ity to hold legislators accountable — passed the House of Representatives in June.

### GOA fights a solo battle against DISCLOSE ... and wins!

Because of your support for Gun Owners of America, we were able to kick up a lot of dust when the DISCLOSE Act went to the floor of each chamber. GOA and its activists came within seven votes of killing this anti-free speech bill in the House, but undaunted, we succeeded in killing it in the Senate.

That GOA stood alone amongst national firearms groups in opposing this bill was acknowledged by Senator Mitch McConnell (R-KY) during debate on the floor of the Senate in June:

The GOA vehemently opposes this [DISCLOSE] bill. Why? Because they know it restricts First Amendment rights.

### GOA in the states

Gun Owners was very active in lobbying for Firearms Freedom Acts across the country. Following an idea which began in Montana with former GOA board member Gary Marbut, eight states have now effectively declared themselves to be sanctuary states for gun rights. That is, any firearm that is made in a state — and which stays in that state — is immune from most federal gun laws.

GOA also helped lobby for the Alaska-styled carry law that passed in Arizona. Now, citizens of the Grand Canyon State will be able to carry concealed firearms without being registered like common sex offenders and without getting prior permission from the government.

And then there are the various odds and ends, like the vast improvements in Virginia's gun laws this year. While the state organization, Virginia Citizens Defense League, did a yeoman's job in lobbying the legislature, GOA also mobilized its forces in repealing the

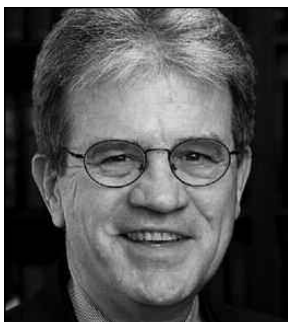
restaurant gun ban and modifying state law to allow permitless concealed carry in one's car or boat.

The bottom line is, gun rights were advanced at both the federal and state levels!

### GOA leads an unprecedented battle in the Senate

Having said that, there were times that we "took it on the chin" — like when the President succeeded in getting his most recent anti-gun Supreme Court nominee, Elena Kagan, approved. However, with your help, GOA has been able to lay the groundwork for defeating future court nominees.

The Senate voted 63-37 in August to confirm Elena Kagan to the U.S. Supreme Court. While this was very disappointing, it is important to note that we got more votes against Kagan than we have ever gotten against a Supreme Court Justice that we've opposed — more than we garnered against Justices Sotomayor or Ginsburg.



Senator Tom Coburn of Oklahoma has thanked GOA for its help and stated that, "Gun Owners of America was the most consistent and loudest voice on Capitol Hill in support of the effort to repeal the National Park Service gun ban."

(Imagine, Justice Ginsburg only received three negative votes!)

To put in bluntly: we gained tremendous ground in our fight against Kagan. There were Senators who voted against Kagan in August who had *never* before voted against a Supreme Court Justice.

Moreover, Senators relied heavily on GOA's analysis of Kagan, as evidenced by Senator John Thune's statement on the floor of the Senate in August. Thune, a Republican from South Dakota, stated that:

After reviewing Ms. Kagan's record and testimony at her confirmation hearing, the Gun Owners of America concluded that, "The available evidence portrays her as a forceful advocate of restrictive gun laws and driven by political considerations rather than rule of law."

### GOA works toward an Obama-proof Senate

The good news is that we picked up six new Senators in November, which means we now have the ability to filibuster any future Elena Kagans — remember, it only takes 41 votes to defeat a nomination through a filibuster.

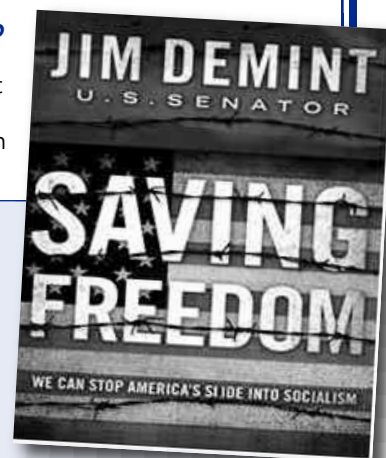
We had 37 votes in August; six new

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Jim DeMint, U.S. Senator from South Carolina, has written one of the most important books of the year.

**Saving Freedom: We Can Stop America's Slide Into Socialism** is Sen. DeMint's firsthand account of the unsettling socialist shift, backed by a complete action plan to reclaim America's freedom.



"Every pro-gunner and Conservative who will actually take the time and make the effort to vote in 2010 and 2012 should pick up a copy of DeMint's book, **Saving Freedom**, and you'll get a good idea of the man and his commitment to America. When you're done reading his book, you'll know why Jim DeMint should be on the 'short-list' of Presidential candidates for 2012."

Tim Macy, Vice-Chairman, GOA

Senator DeMint illuminates key principles of freedom and how they are being compromised by big government. He lays out a complete action plan to reclaim these freedoms and reverse America's cultural decline by restoring a strong spirit of God and country.

Reasonably priced for the holidays, the book is now \$10 off. Order your copy today at: <http://gunowners.com/savingfreedom.htm>

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Senators means that there are, potentially, a total of 43 Senators who can veto any wacko, anti-gun liberal judge.

Hopefully, we should have an Obama-proof Senate now.



This past summer, GOA's Erich Pratt appeared on Fox News to discuss Utah's liberal concealed carry laws. GOA was heavily involved in the states this year, working to get good concealed carry and Firearms Freedom legislation passed.

But that's where you come in. Left to themselves, politicians will choose the path of least resistance. That's why your membership in Gun Owners of America is so crucial.

We fight the battles that other pro-gun organizations are not willing to engage in. If you've been a member of GOA for any length of time, you know that GOA is often fighting solo battles in defense of our gun rights.

That's why we are here — we defend gun rights, not just from a sporting perspective, but from the premise that our rights are a gift from our Creator and that compromise is not an option.

We are your voice on Capitol Hill, but having said that, we heavily rely on your postcards, letters, faxes and emails to put the heat on from back home.

This makes a tremendous difference, as acknowledged by Senator Jim DeMint in his recent book, *Saving Freedom*, which is available in GOA's web-store:

Every letter, e-mail, or phone call makes a difference because elected officials know that for every one person who contacts us about an issue there are at least a hundred and maybe a thousand who feel the same way.

Please stand with us. There is a lot of work that we have to do in 2011 — not the least of which involves the defense of our rights against the latest attacks from the White House.

And, given our success in 2010, you can rest assured that we will be using your membership dollars to stay on the offensive, push the envelope, and advance gun rights nationwide. ■

## 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 to 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.





# Righting “wrongs” based on wrong interpretations of “rights”

by Larry Pratt

Socialists, from President Obama on down, look at the government as the creator and administrator of rights. That is why even some on the left liked the *Heller* and the *McDonald* deci-

sions which overturned gun bans in Washington, DC and Chicago.

Don't get me wrong, I'm ecstatic that the Supreme Court ruled against the gun bans in these two cities. And I'd rather be in our shoes today than in the Brady Campaign's — as they saw their arguments slapped down harshly by the Court.

So why then would some big-government types like these two decisions — especially the *McDonald* case out of Chicago? Because in basing their decision upon the Due Process Clause of the 14th Amendment, the Justices perpetuated a false doctrine which has allowed the Constitution to continue evolving.

The Due Process clause is the place where judges invent rights and then decide how much the government can control them.

Gun Owners of America argued that the Court should have based its decision on the Privileges or Immunities Clause of the 14th Amendment. The Court would have then been using a definitive clause dealing with rights of citizenship rather than the amorphous “substantive” Due Process Clause where Courts have run wild and seldom come to constitutionally-based conclusions.

Justices love the Due Process Clause because it has been interpreted in such a way to allow judges to twist the Constitution to fit their big-government world view. They love this approach because they love righting “wrongs” based on what they THINK are “rights.”

President Obama complained on a Public Broadcasting radio interview, when he was a state senator, that the Constitution only protects negative rights and that such a limitation (in his view) must be overcome. Obama made it quite clear that a constitutional republic that is governed by our Constitution is antithetical to his socialism. He talks of a right to health care, and a right to a comfortable living, and, well, a right to anything the left thinks will

help buy votes.

Indeed, the role of government in the Founders' Constitution is to protect liberty, and no more. Socialists want government to provide for everything, making the people dependent, even at the expense of liberty.

The left is hoping to pit their understanding of the 14th Amendment where courts create rights against the Tenth Amendment. They argue that the Fourteenth Amendment, being enacted after the Tenth, trumps the earlier amendment. That is why they are so eager to inject their view of government-created rights into the 14th Amendment.

If the government is the creator of rights, then the government must be protected from the people. That means they cannot allow any notion that the Second Amendment is intended to be a check on the unconstitutional exercise of federal power. The constitutional militia was intended to be an instrument of the states to protect their citizens from the federal government (by legal definition throughout the colonies). All freemen were required to own military long arms.

Wyoming is on the right path. Wyoming has a Firearms Freedom Act which “interposes” Wyoming against all federal laws involving a firearm made in the state and which remains in the state. Unlike the other seven states with identical laws, Wyoming makes violation of the act by a federal official a state offense punishable by up to 365 days in jail. Had they added one more day to the potential penalty, any conviction would result in the loss of gun rights under 18 USC 922(g) for any federal official who violates their law.

States and county sheriffs are going to need to take the militia clauses of the Constitution seriously. Sheriff Joe Arpaio of Maricopa County (Phoenix), Arizona has a posse of 3,000. If Arizona were to create a State Guard and encourage sheriffs to beef up their posse strength to levels analogous to Maricopa County, and if other states were to follow suit, the federal government would be less inclined to assume that there are no limits to their powers.

Such an outcome will not come about until we understand that there is no conflict between the Tenth and the Fourteenth Amendments, and that rights come from God, not from government. Government-made “rights” are the “wrong” rights. ■

**THE**  
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