

# THE Gun Owners

36 YEARS OF NO COMPROMISE – 1975-2011

## *A Look Back, A Look Ahead*

## GOA celebrates highlights of 2011

by John Velleco

Oh what a difference a year can make. Gun Owners of America played an extremely important role in dozens of races across the country in the last election.

Most notably, the Gun Owners of America Political Action Committee — funded solely by the generous contributions of GOA members — was the only gun rights group last year to oppose so-called Blue Dog Democrats in 35 U.S. House races.

The Blue Dogs claimed to be pro-gun, but as GOA pointed out, their very first vote would have been to make Nancy Pelosi the Speaker of the House. The GOA-supported candidate was victorious in 23 of these races.

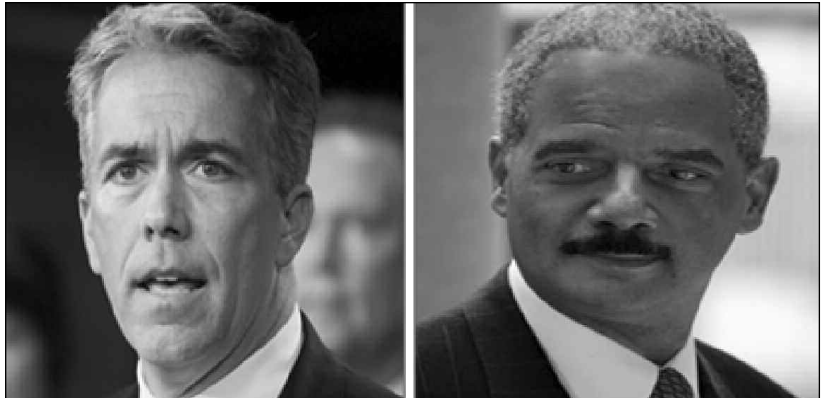
Thanks to these successes, GOA went to work with a lot of new faces in Washington in 2011.

### GOA Leads the Way to Bring Back the Constitution

With the election barely over, GOA immediate-

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## GOA Pressing for Holder's Resignation



In late October, GOA began pressing hard for the resignation of Attorney General Eric Holder (right). Illinois Rep. Joe Walsh (left) was the first to issue this call from Capitol Hill — and he was quickly followed by three others. The next day, the number of Representatives calling for Holder's resignation officially doubled, and then it quadrupled over the following week. Currently, more than 30 Representatives are demanding Holder's resignation. Check GOA's website at [www.gunowners.org](http://www.gunowners.org) for continuing updates.

## Republican Presidential Candidates Want Shot at Obama — *But will they defend gun rights?*

by Erich Pratt

As the nation's early primaries are set to commence in January, gun owners are hoping that Republicans will put forth a pro-gun supporter to challenge President Obama.

During the Fall, most polls showed that Herman Cain had a slight lead over Mitt Romney. While Romney seems to have found "religion" in recent years when it comes to firearms issues, gun owners will remember that the former governor of Massachusetts does not have a good Second Amendment record at all.

Consider just some of Romney's positions in past years:

- "We do have tough gun laws in Massachusetts; I support them," he said during a gubernatorial debate. "I won't chip away at them; I believe they protect us and provide for our safety."
- And when Romney ran for Senate in 1994, he told the *Boston Herald* that he supported the Brady gun-control law and a ban on scores of semi-automatic firearms.

In the Republican field, you find strong pro-gun advocates such as Rick Perry, Ron Paul and Michele Bachmann — all of whom have pro-gun records to run on.

Herman Cain, however, is something of an enigma. He has no legislative record ... no history in public office by

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### Inside:

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- **GOA wins at the Supreme Court (page 6)**
- **Republican presidential candidate ratings (page 3)**

## **GOA celebrates highlights of 2011**

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ly called on the new Congress to renew its respect for that document that each and every member swears an oath to protect and defend.

As a direct result, one of the first acts of the Congress in 2011 was to read the Constitution aloud, for the first time in history, on the floor of the United States House of Representatives.

"I want to thank Gun Owners of America for early support of the idea to read the U. S. Constitution on the House floor and for taking the lead to rally the grassroots in support of the Read the Constitution effort," said Rep. Bob Goodlatte (R-VA), who organized the reading.

Of course, reading the Constitution is one thing, abiding by it is another. And that is a battle GOA brings to Capitol Hill on a daily basis.

### **GOA Fights to Amend Patriot Act**

One of the key allies for gun owners who won in the last election was Sen. Rand Paul of Kentucky. And he wasted no time going to battle with the Senate leadership over pro-gun legislation.

Sen. Paul tied the Senate in knots for more than a week fighting for a GOA-backed amendment which would have protected 4473's and other gun records from blanket searches by the ATF under the so-called PATRIOT Act.

Because many leaders in his own party refused to back him, Sen. Paul was not successful this time, but he put a marker down that gun rights would not be violated without a fight from the pro-gun community.

Sen. Paul thanked "Gun Owners of America for their strong support of my amendment to protect the privacy of gun owners."

### **GOA First to Alert Gun Owners to Fast & Furious**

Gun Owners of America was the first major organization to call for an investigation into the now well-publicized Fast & Furious scandal at the Department of Justice.

At the very start of the year — when most people still thought Fast and Furious was only a movie — GOA began



**Attorney General Eric Holder appeared to have perjured himself in May by saying he only learned about Fast & Furious "for the first time over the last few weeks," when, in fact, he was receiving regular briefings on the operation as far back as July, 2010. To read the continuing CBS News coverage on this story, go to: <http://www.cbsnews.com/sharylattkisson>**

alerting grassroots activists that the American government was allowing guns to be walked across the border to Mexico in order to further the Obama gun control agenda.

The unfolding of the scandal has gone on for nearly a year, but each congressional hearing and investigation brings new information to light.

In countless radio and television interviews, email alerts and Capitol Hill meetings, GOA continues to aggressively pursue this issue to ensure that the Congress does not let up until government bureaucrats are held accountable, fired and even prosecuted for criminal misconduct.

### **The UN Arms Trade Treaty**

Among the issues certain to play a part in election year politics is the UN's small arms treaty, officially titled the Arms Trade Treaty (ATT). After more than a decade of negotiating, the UN is scheduled to have a treaty finalized and ready for ratification in 2012.

The ATT is the most comprehensive weapons treaty ever taken up by the UN, regulating weapons trade throughout the world on everything from battle-ships to bullets. For U.S. gun owners, it would entail, at the very least, licensing requirements for individual gun owners and a ban on most privately-owned semi-automatic firearms.

The Obama administration already signed on in support of the treaty, but it still must be ratified by a two-thirds vote of the U.S. Senate.

Because the makeup of the Senate is likely to change drastically next November, the pressure will be intense to ratify the ATT before the next election, while the Senate is still led by anti-gun Democrat Harry Reid.

### **One Shooting Away From More Gun Control**

The 2010 elections saw positive gains for gun owners, but the gun control crowd has not grown complacent.

Anti-gunners shamelessly exploit the victims of violence, so we are always one high-profile shooting away from being faced with more gun control. Already, the groundwork has been laid for the next round of massive gun control following the shooting of Congresswoman Gabrielle Giffords.

For example, Rep. Carolyn McCarthy's H.R. 1781 would regulate all private firearms sales (and thereby spell the end of gun shows) and ban many more people from owning guns through a massive expansion of the Brady law. Anti-gunners are making the rounds on Capitol Hill pushing this bill and have garnered 68 cosponsors.

Even with many allies in Congress, politicians must still be reminded that gun control laws only make the population less safe.

### **Supreme Court Justice**

GOA is also preparing for the possibility of another Supreme Court justice retirement. This is particularly important because of the Court's landmark 5-4 rulings in *Heller* (that the Second Amendment protects an individual right) and *McDonald* (incorporating that right to the states).

President Obama already has left a mark on the Court that will last a generation with anti-gun Justices Sotomayor and Kagan.

Justice Ruth Bader Ginsburg, born in 1933, is frequently discussed as a retirement possibility. If that happens, her replacement will be in the same vein as Obama's other two justices (and the president knows he can rely on Harry Reid's Senate to deliver the votes.)

A retirement by one of the "conservative" justices would put the 5-4 margin in *Heller* and *McDonald* on the line. If Obama can replace just one justice who was in the majority, one of the many

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## Cain and Romney Duke it Out

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which to judge him. We only have bits and pieces of speeches and interviews that Cain has engaged in.

To be sure, he has taken a strong stand against gun control at the federal level. In an interview with CNN's Wolf Blitzer earlier this year, Cain expressed support for gun rights:

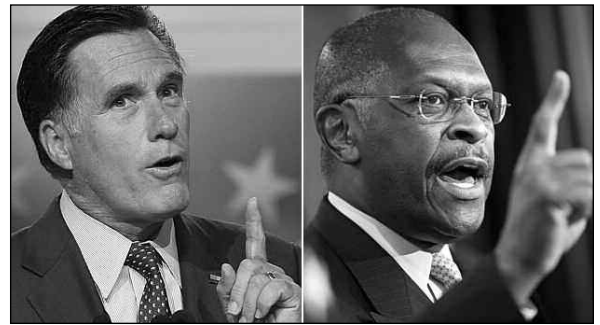
I support, strongly support, the Second Amendment. I don't support onerous legislation that's going to restrict people's rights in order to be able to protect themselves as guaranteed by the Second Amendment.

Obviously, we would like to hear answers to specific policy issues that Mr. Cain would be faced with as President. And that is why GOA sent him a Second Amendment Presidential Survey. It asks about concealed carry recognition, the renewal of the semi-auto ban and repealing gun restrictions (like the Brady law and various import bans).

Our survey also gets the candidates' views on issues such as UN gun control, undoing existing anti-gun Executive Orders and reining in the ATF.

Please stay tuned, we'll let you know his answers as soon as we get his completed survey. ■

For more detail on the Second Amendment-related records of the Republican contenders mentioned in this article — candidates such as Mitt Romney, Rick Perry, Ron Paul and Newt Gingrich — please go to: <http://gunowners.org/2012presidential.htm>



Gun owners know they have a huge stake in the upcoming elections. The next President will be asked to repeal restrictive legislation, including ObamaCare — a law which could use medical information to bar millions of Americans from owning guns.

### Republican Presidential Candidates

Ron Paul	A+
Rick Perry	A
Michelle Bachmann	A
Rick Santorum	B-
Newt Gingrich	C
Mitt Romney	D-
Herman Cain	NR

## 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.





# GOA in



**GOA spearheads effort to get the Constitution read in Congress.** “Gun Owners of America [took] the lead to rally the grassroots in support of the Read the Constitution effort.”  
— Rep. Bob Goodlatte, January 2011



**GOA working “fast and furiously” to expose Obama’s misdeeds.** In June, Larry Pratt (right) met with the top congressional investigator, Rep. Darrell Issa of California.

GOA has helped provide Issa’s committee with key information relating to Operation Fast and Furious, a gun-running scheme where the Obama Administration approved — and in some cases, helped fund — the purchase and smuggling of firearms into Mexico. The apparent purpose of this gun running scandal was to use the increased violence south of the border as a pretext for more gun control in this country.



## Pratt interviews ATF Whistleblower

Larry Pratt interviewed ATF whistleblower Vince Cefalu (right) on his radio news program in October. Cefalu received positive job performance ratings for 20 years, until he began exposing the Justice Department’s misdeeds — including its role in helping guns “walk” across our southern border. As a result, Cefalu has been forced to turn in his gun and his badge. Larry Pratt’s interview with Cefalu, who was instrumental in setting up CleanUpATF.org, can be heard by selecting the Oct. 15 interview at: <http://tinyurl.com/3l38rk4>

# 2011



**GOA leads the way in forcing a vote on safeguarding gun records.** “I want to thank Gun Owners of America for their strong support of my amendment to protect the privacy of gun owners.”

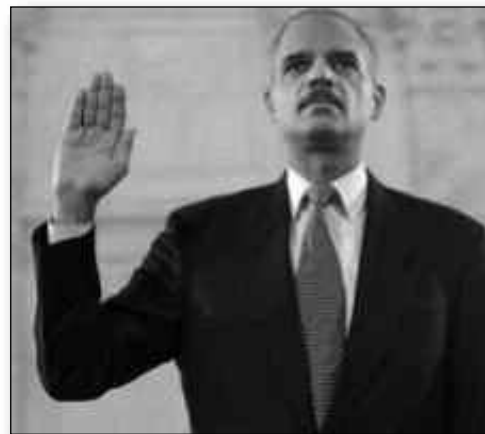
— Senator Rand Paul, May 2011



**GOA's message reaching millions of people.** Beginning with the Tucson shooting in January — which left Rep. Gabrielle Giffords injured — GOA representatives appeared on several hundred media outlets around the world throughout the year. Notable appearances included *USA Today*, *Wall Street Journal*, NPR, CNN, Fox News and many more.



**GOA plays role in defeat of anti-gun judge.** What a difference an election makes. GOA's Political Victory Fund worked hard last year to get pro-gun Senators elected to the Senate. These efforts bore fruit this year, especially in regard to defeating one of the President's radical judicial nominations. GOA worked hard to alert Senators to Goodwin Liu's extreme, anti-gun record. Like many radical progressives, Liu believes that while our Second Amendment rights might have been necessary in the 1700s, they are no longer needed today.



**GOA targets Justice Dept. lies.** In March, the Obama Administration issued regulations requiring agencies to lie to the public under certain circumstances. GOA alerted its grassroots in October to these regs and urged Congress to defund the administration's ability to enforce them. The Administration pulled the regulations within the week.

# Federalism Wins in the Supreme Court

## GOA celebrates important precedent

by Larry Pratt

Gun owners are certainly aware that there has been a rampant increase in the number of federal crimes in recent years. There are so many federal crimes on the books ... so many laws that contradict each other ... one author has stated that Americans unknowingly commit three felonies a day.

Of course, many of the laws Americans unwittingly break are gun laws. Allegedly selling a shotgun that was roughly ¼ of an inch too short led to a federal raid upon Randy Weaver's Idaho ranch, resulting in the murder of his wife and son in 1992. Similarly, David Olofson recently spent more than a year in jail simply because his malfunctioning semi-automatic rifle accidentally discharged a three-round burst (and then jammed) after he had loaned it to a friend.

Well, enough is enough. To help put a screeching halt to the unbridled federal overreach that has been occurring, Gun Owners of America briefed an important case before the U.S. Supreme Court this year — and we won!

The case is *Bond v. United States*, where the U.S. government had made a “federal case” out of a domestic dispute involving a Pennsylvania woman who injured her neighbor.

Mrs. Carol Ann Bond was convicted in a federal district court of violating a federal law passed by Congress to implement this country's obligations under the Chemical Weapons Convention of 1993. This statute provides broadly that “it shall be unlawful for any person knowingly ... to ... acquire [and] use ...any chemical weapon....”

There was absolutely no reason why the federal government should have been prosecuting Carol Bond, as opposed to the local authorities.

So GOA argued that “the federal government possesses only enumerated powers, enjoying no federal police power [and thus] it is without authority to criminalize any behavior without an express grant of authority found in the text of the U.S. Constitution.”

The U.S. Attorney applied the law as if a treaty, which was designed to halt the international spread of chemical

weapons by nation-states, and said it was applicable to Pennsylvania housewives — even a housewife like Carol Bond who tried to poison her neighbor after it became known she was sleeping with Carol's husband.

To be clear, it would have been the responsibility of state or local authorities to prosecute this case, rather than the U.S. government. Regardless, the District Court ruled in favor of the federal government.

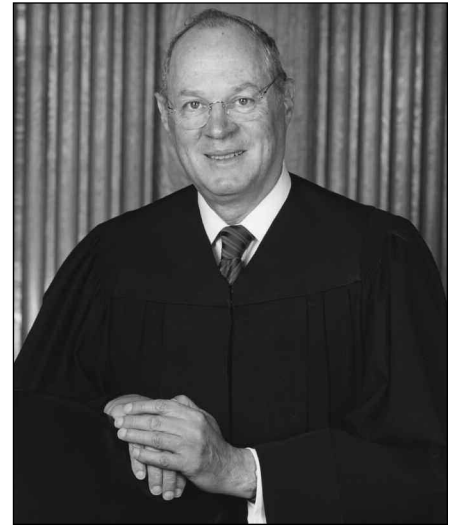
On appeal, the Third Circuit never got around to addressing the merits of Bond's claim. Instead, the appeals court decided that Bond had *no legal standing* to challenge her conviction. The Court believed that, while defendants generally can challenge the constitutionality of criminal statutes, a Tenth Amendment challenge can only be brought by one of the 50 states. Thus, the appeals court concluded, Bond would need the State of Pennsylvania to join her in challenging the federal law.

### **Bond case relevant to gun owners**

Now, why does this matter to gun owners? Well, consider the *amicus* brief GOA and GOF filed on behalf of the Montana Shooting Sports Foundation in a case now pending in the U.S. Court of Appeals for the Ninth Circuit. In it, we argued that federal gun laws do not apply to wholly intrastate transactions in firearms, and that any laws regulating such transactions would violate the Tenth Amendment. If a firearm is made, shipped, sold, and used entirely within Montana, then there is no “interstate commerce” for Congress to regulate.

But under the Third Circuit's rule in the *Bond* case, Congress would be free to unconstitutionally regulate wholly intrastate firearms. Then, prosecutors would be free to charge gun owners with unconstitutional crimes, and the federal courts (at least in the Third Circuit) would put the icing on the cake by claiming those gun owners had no standing to challenge their convictions.

If a housewife can't challenge her conviction as a proliferator of chemical



**GOA submitted a brief in the *Bond v. United States* case. Anthony Kennedy delivered the unanimous opinion of the court.**

weapons, then perhaps owners of *intrastate* firearms can't challenge the *federal* laws that have sent them to prison. Such a precedent cannot be allowed to stand.

The GOA *amicus* brief also discusses the rampant increase in the number of federal crimes in recent years. Recent studies have estimated the number of federal statutes with criminal penalties associated with them to be over 4,000, with the exact number indeterminate.

Books such as Craig Roberts' *The Tyranny of Good Intentions* highlight this vast “federal overreaching.” Congress has lost sight of the founders' vision of a federal government with limited, enumerated powers, which left most government business to states under their traditional police powers. The Constitution gives Congress the explicit authority to criminalize certain actions — treason, counterfeiting, and piracy — and not much more. It is clear that the federal government was never given the general “police powers” that Congress now presumes itself to have.

Fortunately, the Supreme Court struck down the Third Circuit's opinion in June, permitting Bond to challenge her conviction. The court held that the principle of federalism, as protected by the Tenth Amendment, is designed not simply to protect the states from federal

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## GOA celebrates highlights of 2011

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Second Amendment cases currently in the court system would quickly work its way up to the Court and those decisions would be reversed.

### Election Outlook

Given the fate of the Supreme Court, UN gun control, ObamaCare and other issues, the main focus of the election for the next year will understandably be on the presidency. Freed from having to face the electorate again, a second term for President Obama would be likely to unleash anti-gun Executive Orders at a dizzying rate.

The mere possibility of another four years of Obama, however, makes the House and Senate elections all the more important.

Barring some catastrophic missteps by Republicans, the Democrats have little chance of taking over the House. At the same time, Republicans have an excellent chance to remove Harry Reid from his post as Senate Majority Leader.

Of the Senate seats that are on the ballot next year, 23 must be defended by Democrats, while Republicans have to defend only 10. The Democrats currently hold a slim majority of six seats (as there are two independents who cau-



**A retirement by Justice Ruth Bader Ginsburg would give President Obama one more opportunity to appoint another member to the Supreme Court .**

cus with the Democrats).

Because at least ten of the Democrat seats are in "Republican friendly" territory, Reid's days as leader should be numbered.

Additionally, one of the Senate's most anti-Second Amendment Republicans — Dick Lugar of Indiana — is facing a stiff primary challenge from conservative Richard Mourdock, who has the support of Gun Owners of America.

### Registered to Vote?

The 2012 election year is the second part of a four year voter referendum that began in 2010. The gains of 2010 will be for naught if Obama and Harry Reid are still in power.

And don't forget, primary elections will be taking place in all the states throughout the year. Because most districts are gerrymandered to favor one party or the other, congressional races are often decided on primary election day.

If every person who owns a gun were registered to vote and showed up at the polls, we would never lose an election.

### Working Together

As you can see, GOA had a busy 2011 and we have an ambitious agenda for 2012.

In addition to the issues mentioned above, GOA is also busy working to repeal the gun free schools zones gun ban, to repeal a firearms ban on Army Corps of Engineers land, pushing Constitutional Carry and Firearms Freedom Acts at the state level, and a host of other initiatives to protect gun owners' rights.

But we can't do it alone. GOA relies on its members to keep the emails, letters and phone calls pouring in to Capitol Hill and legislatures across the country. When our lobbyists walk into a legislator's office, they are frequently greeted with some version of, "We're hearing from your members all the time."

That is what grassroots lobbying is all about, and it is the reason GOA is viewed as one the most effective lobbying organizations in America. ■

## Federalism Wins in the Supreme Court

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encroachment; rather, the whole point of protecting the states is to thereby protect the liberty of citizens from an overreaching federal government.

Thus, the Court determined that, when Bond challenged the federal law under the Tenth Amendment, she was not asserting Pennsylvania's rights, but rather her own.

The best way to restore federalism in America is to eliminate most of the federal criminal code, which is now used to make individuals fearful of the federal government, and to restore the federal government to its role as the servant, not the master. ■

*Erich Pratt also contributed to this article.*



## How to Place GOA *in Your Will*

GOA has received numerous inquiries from our members asking us how they can place Gun Owners of America in their will or estate plans.

Here are some sample instructions to share with your advisor or attorney:

I give, devise and bequeath to Gun Owners of America (tax ID # 52-1256643), a non-profit, corporation in Springfield, Virginia:

- A. The sum of \$\_\_\_\_\_; or
- B. \_\_\_\_\_ percent of my estate; or
- C. Residue. I give my Residue to Gun Owners of America, 8001 Forbes Place, Suite 102, Springfield, Virginia 22151.



## Shootout in Ruidoso

by Larry Pratt

In September, I was involved in a shootout in the village of Ruidoso (Spanish for noisy) near our southern border. No, this time I was not using bullets.

I had been invited by GOA members in the New Mexico town to participate at a village council meeting. The chamber was filled

to overflowing. Folks were outraged that the village mayor, Ray Alborn, had issued an executive order banning firearms anywhere on village property.

Needless to say, half of us in attendance had hogs on our hips. GOA member Dr. Ray Seidel came dressed with an AR-15. I knew right away I was not in San Francisco.

The mayor issued his edict in spite of Article II, Section 6 of the New Mexico Constitution which prohibits municipalities and counties from regulating "in any way, any incident of the right to keep and bear arms."

In spite of the state constitution's clear language, the city attorney, Harry "Pete" Connelly, wrote an opinion saying that state law permitted the ban.

Calls for him to be fired erupted during the hearing.

The mayor was raised in Houston by a single mother and never had any contact with firearms. They scare him. He offered as justification for his executive order that he wanted to ensure that people remain safe.

At the Council's previous meeting, a citizen approached the podium with a sidearm in his holster and the Mayor had him disarmed. KASA-TV in Albuquerque recorded the mayor's response: "At that time I realized how unprotected we are in the front of the room. There's 11 of us, plus all of our citizens and employees who were at the meeting. [It hit home] how unprotected we were."

When I testified at the hearing, the Mayor said that if he could, he would ban firearms throughout Ruidoso.

Those from Ruidoso handled the legal and constitutional issues well, so I addressed the historical aspect of gun free zones. Almost all of the mass murders in our country have

occurred in gun free zones. I told the Council that in February of 2008, an irate taxpayer charged into the Kirkwood, Missouri chamber, killed two police officers, three councilmen and critically wounded the mayor before he was subdued by police who ran from other areas of the building.

Kirkwood's council did not like the state's concealed carry law and exercised the option in the law to declare their chamber a gun free zone.

In contrast to the almost 100 percent opposition from the public, a young woman named Andrea Reed — along with her three kids — was presented to the Council as part of a celebration of International Peace Day. After receiving a certificate from the Mayor, Andrea and her kids cavorted around as if they were dancing around a Maypole. They sang a little ditty about how peace is nice.

She remained for the gun ban item on the agenda and testified in favor of the Mayor's position. She suggested a compromise — that gun owners leave their guns at home because such firepower made her nervous. I so wanted to assure her that every open carrier in the room was being very vigilant to ensure their guns did not jump out of their holsters. We were successful and she did not get shot.

Whew!

The Council did not take action on the Mayor's edict, but they scheduled a vote for the following meeting.

I did an interview on a Ruidoso radio station (KEDU 102.3 FM) from the Gun Owners of America office in Springfield, Virginia and urged listeners to attend the next village meeting — armed as before — as Councilors were then expected to vote on the ban.

Gun owners didn't have anything to fear because Police Chief Joe Magill is a sworn officer who is in the Oath Keeper tradition. He told the Mayor that he would not arrest anybody for

carrying in the Council chambers because such a ban — whether it's a mere edict from the Mayor or an ordinance from the Council — is unconstitutional.

Thankfully, at the subsequent meeting in late September, the Village Council voted five to one to rescind the Mayor's edict. Councilman Rafael "Rifle" Salas was the only negative vote, as the Mayor does not typically vote.

Looks like Mayor Alborn's edict was stillborn. ■



**GOA Executive Director Larry Pratt defies the illegal gun ban with a sidearm strapped to his side.**

### THE Gun Owners

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

**Tim Macy**  
Vice-Chairman

**Larry Pratt**  
Executive Director

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