

# THE Gun Owners

41 YEARS OF NO COMPROMISE – 1975-2016

## Gun Rights Would Not Survive an Obama Appointment to the Supreme Court

By Tim Macy

The nation lost a true constitutionalist in February with the death of Supreme Court Justice Antonin Scalia.

His pro-gun leadership on the Court will be sorely missed.

Now, we are in a fight for our lives as President Obama will try to nominate a replacement to change the balance on the Court.

No one should fail to understand what is at stake in Barack Obama's scramble to appoint the "swing vote" on the Supreme Court.

If Obama appoints a replacement for Justice Antonin Scalia, the reconstituted court will declare the Second Amendment dead.

Period.

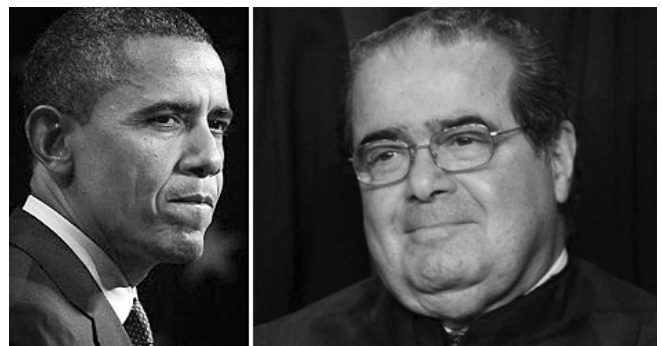
Those who understand the Constitution know that Obama and the Court can't really obliterate the 2nd Amendment. The Constitution trumps any unlawful action to the contrary.

But a change in the Court — with the anti-gun decisions that follow — will give the "green light" for all kinds of gun registration and gun bans, resulting in a chilling effect on the exercise of gun rights.

*Heller*, the 5-4 decision which recognized the Second Amendment as an individual right, will be reversed.

*McDonald*, the 5-4 decision which recognized that the Second Amendment applies to the states, will be reversed.

### GOA Fighting Obama's Nominee



President Barack Obama is chomping at the bit to fill the Antonin Scalia vacancy with a radical activist who will swing the Court to the extreme Left, effectively killing the Second Amendment for the next generation.

Even sooner, the court will recognize Obama's illegal efforts to grant amnesty to 8-plus million anti-gun voters.

And the consequence will be that the entire U.S. government will soon be the same gun-hating "utopia" which California's government became as a result of a 1986 amnesty bill.

*Continued on page 2*

## Obama Coming After Your Guns

by John Velleco

Fresh off his Hawaiian vacation in January, President Obama set down his golf clubs and picked up his pen for another assault on the Second Amendment.

Having tried — and failed — to pass gun control through Congress multiple times, Obama is now doing what he always does when he doesn't get his way.

By executive fiat he hopes to bypass Congress, and the rule of law, and enact massive new gun control measures.

Obama is clearly frustrated by the

gun lobby. So much so that he spent the bulk of a Weekly Address talking about his "one piece of unfinished business" — passing more gun control.

After meeting with Attorney General Loretta Lynch, Obama came up with a laundry list of proposals, the most egregious of which will target private, individual gun owners.

This is nothing new. For years, anti-gun activists have tried to ban private firearms sales. Sometimes they call it closing the "gun show loophole," sometimes "Universal Background Checks,"

*Continued on page 6*

### Inside:

- **Another mass shooting prevented by a concealed carrier (page 4)**
- **GOA fighting gun control in the courts (page 5)**
- **Total victory over Obama and Feinstein in the Senate (page 7)**

## Gun Rights Would Not Survive an Obama Appointment to the Supreme Court

Continued from page 1

### Anti-gun Left Trying to Shame Senators into Packing the Court

The Leftist media has already begun their White House-coordinated campaign to bludgeon Senate Republicans into approving Obama's efforts to pack the Supreme Court with a "jurist" who will repeal the Second Amendment — and achieve Obama's life-long dream.

But all of their arguments are, transparently, lies and false propaganda.

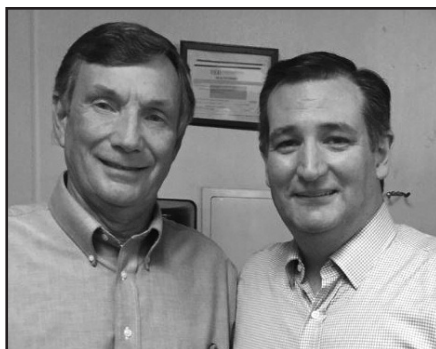
**FIRST:** Everyone knows that the Obama appointment would result in the reversal of *Heller* — and the effective repeal of the Second Amendment — at least, as recognized by a corrupt court system.

**SECOND:** Obama's ultimate nominee will lie.

He or she will say that they have no opinion on the Second Amendment. And they will talk about legal doctrines like *stare decisis* — which supposedly gives a presumption to retaining "settled law."

Justice Sonia Sotomayor also swore, under oath, that she had no preconceived opinions on the Second Amendment. But as soon as she got her lifetime appointment, she couldn't move fast enough to call for the Second Amendment's repeal.

If there is one thing we have learned from Sonia Sotomayor, Elena Kagan, and the gaggle of Obama lower court appointees, it is this: They will say



**Sen. Ted Cruz (R-TX) told ABC News in February that he would be willing to lead a filibuster against any nominee put forward by Obama. (Pictured here with Cruz is GOA Chairman Tim Macy.)**

whatever needs to be said to get on the Court, but they will run fast and hard to the Far Left once they are confirmed.

**THIRD:** There is no constitutional principle which requires the Senate to approve a lawless nominee.

Besides, Obama has had no problem using the Constitution and the laws as toilet paper.

So he is the last one to lecture others on their "constitutional obligations" — particularly when the goal is to confirm lawless jurists who would rubber-stamp Obama's unconstitutional and lawless actions.

### The Supreme Hypocrite

You might be surprised to know — but then again, maybe not — who it was that, as a Senator, loudly protested the ability of the President to simply get anyone he wants on the Supreme Court. Remember who said this:

There are some who believe that the President, having won the election, should have complete authority to appoint his nominee ... that once you get beyond intellect and

personal character, there should be no further question as to whether the judge should be confirmed. I disagree with this view.

That was then-Senator Barack Obama in 2007, stating that the Senate can vote down a presidential nominee to the Supreme Court, based on his views alone.

Ironically, Obama was right then, and his words are true today — even more so than ever before!

You can be sure that GOA is going to remind every Senator of Barack Obama's words before he became President.

And you can tremendously help by demanding that your Senators filibuster anyone who is nominated by President Obama — even if both of your Senators are Democrats.

We are going to remind every Democrat of what their "leader," Barack Obama, said back in 2007.

We are going to make sure they feel the heat from the grassroots, so they know that their colleagues will pay a political price if they choose to listen to the leftist media.

Senator Ted Cruz promised ABC's George Stephanopoulos in February that he would be willing to lead a filibuster against Obama's nominee.

He's led filibusters before. He has the experience and knows what to do.

But we need to raise a national outcry like never before.

So please urge your Senators to reject and oppose — in every possible way — any anti-gun "swing vote" nominated by President Obama.

Tell them that any support for an Obama-nominee will be tantamount to a vote to reverse *Heller* and repeal the Second Amendment. ■

## How to Place GOA



**You can help protect gun rights for future generations by placing Gun Owners of America in your 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.

# GOA ON THE FRONT LINES

## GOA spokesman named “Gun Hero of the Day”



The Truth About Guns awarded GOA Executive Director Erich Pratt with “Gun Hero of the Day” in January, after a “tense” debate with an anti-gun CNN host. Said the website’s editor: “Erich Pratt gets our ‘Gun Hero of the Day’ for ably holding his own against the interviewer’s bully boy onslaught. And telling the truth about guns.”

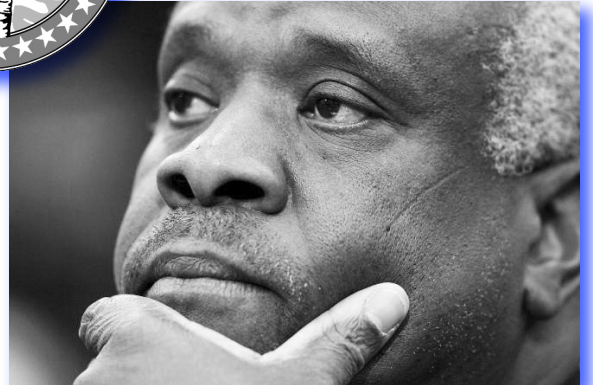
## GOA in the News, from coast to coast



GOA spokesmen have already appeared on more than a thousand media outlets this year, much of it in opposition to the President’s executive actions. And in response to a state supreme court decision, GOA’s John Velleco (right) went on Fox Cable News, arguing that BB guns should not be treated like real firearms in the eyes of the law. He added that the FBI should not be allowed to conduct background checks “on the parents of millions of Ralphies who want a BB gun for Christmas.”



## GOA brief prompts Supreme grilling in gun case



The media was aghast when, in February, Justice Clarence Thomas asked his first question from the bench in over a decade. Upon further review, the media credited a GOA brief for providing the ammunition that Thomas used to grill the government’s anti-gun lawyer. The GOA brief — which can be read at [www.gunowners.com](http://www.gunowners.com) — argues that constitutional (gun) rights should not be infringed because of a mere misdemeanor.

## GOA-backed carry bill becomes law in West Virginia



A Constitutional Carry bill, sponsored by Republican Del. Saira Blair, became law in March after both chambers voted to override the governor’s veto. Del. Blair thanked Gun Owners of America for pushing her bill and providing much-needed data on concealed carry. “I appreciate the support and the information,” Blair said. “I look forward to spreading it around to both my colleagues and constituents!”





## Mass Shooting Stopped by Concealed Carrier

Another potential mass shooting was stopped in its tracks by a concealed carrier in February.

The incident occurred at a gas station in Louisiana, when a disgruntled customer fired more than a dozen rounds into a crowd.

One of the wounded customers returned fire and ended the assault by hitting the attacker in the head.

Authorities are treating the incident as a case of self-defense, saying the concealed carrier was toting "a legal weapon that was registered to him." ■



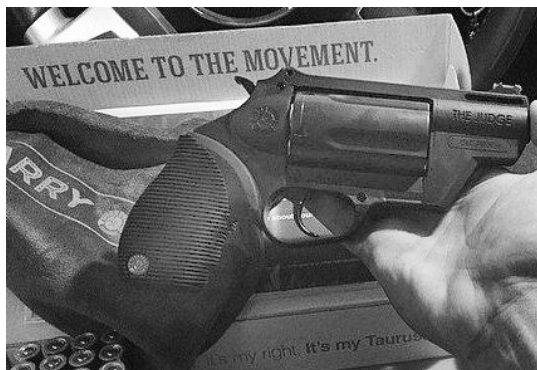
## Driveway Assault Shows Importance of Every-Day Carry

A concealed permit holder was assaulted in his own driveway in February — an attack that underscores the lesson once again: "Carry every day, all day."

A 20-year-old thug tried to rob his would-be victim at gun point, thinking the man who was standing at the end of his driveway was unarmed.

But the Minnesota permit holder pulled his gun and shot the assailant, who ran across the street and died in a parking lot.

The Gun Owners Civil Rights Alliance reports that, since concealed carry became legal in 2003, roughly "1 in 19 eligible Minnesota adults" have permits. ■



## Business owner requires employees to carry concealed

Some businesses require sensitivity training for employees. But not this one. One Atlanta business owner is requiring his employees to get concealed carry licenses.

After hearing about several home invasions in the metro Atlanta area, Lance Toland presented employees with Taurus Judge revolvers upon their getting concealed carry permits.

"I have a number of offices and most of my employees are women," Toland said. "A lot of my clients are high fiving when they hear this. They think it's the best thing for a company to mandate gun ownership and be responsible." ■

## More Guns, Less Crime in not a 'Cheesy' Proposition

After becoming the penultimate state to recognize concealed carry, Wisconsin issued its first permit in late 2011.

Since then almost 300,000 people have acquired concealed carry permits, even while the murder rate has declined.

FBI statistics show that the murder rate in the "cheese state" has dropped slightly since its carry law went into effect — a reality which defies the fear-mongering among the anti-gun Left.

Moreover, *Breitbart* reports that because there has only been one manslaughter homicide by a citizen with a permit, that makes concealed carriers 12 times safer than the average citizen in Wisconsin. ■



The full account for each of these stories can be read on GOA's website at <http://www.gunowners.org>

# Gun Owners of America Fighting Gun Control in the Courts

by Erich Pratt

On November 2, Gun Owners of America (and its foundation) joined forces with Dick Heller — the very one who beat DC's gun ban before the Supreme Court in 2008.

Working in tandem, Gun Owners filed a brief in the U.S. Court of Appeals for the Fifth Circuit in support of a challenge to the federal machine gun ban, which was stuck on at the last minute to an otherwise pro-gun bill in 1986.

First and foremost, Gun Owners argues in *Hollis v. Lynch* that the “arms” protected by the Second Amendment include fully automatic weapons, and that Supreme Court opinions have bolstered this view.

Our brief explains that the Second Amendment is not about hunting or target shooting, but about the preservation of liberty.

In December, GOA filed another similar case in the U.S. Court of Appeals for the Third Circuit (in Pennsylvania).

This second case is *U.S. v. Watson*.

By bringing several cases in multiple districts, GOA hopes to force the Supreme Court to decide this issue in favor of Second Amendment rights.

## ‘Shall not be infringed’ means what it says

Since its founding, Gun Owners of America has built its reputation as the “no compromise” gun lobby.

We want to repeal any restriction that violates the “shall not be infringed” language of the Second Amendment — going all the way back to 1934.

We have always taken the position that the “arms” mentioned in the Second Amendment are the types of weapons that an infantryman in current military service would be issued. These are, in the words of an old Supreme Court case, “part of ordinary military equipment.”

One Court of Appeals judge has



explained that the Second Amendment protects the “lineal descendants” of the arms brought to muster on the village green in revolutionary times.

## Second Amendment helps erect a bulwark against tyranny

If the purpose of the Second Amendment is to preserve a “free State,” then the people comprising the militia need to have the same type of “arms” that are available to the military.

Among other things, we quote Justice Joseph Story’s explanation regarding the true purpose of the Second Amendment:

The right of the citizens to keep and bear arms has justly been considered as the palladium of the liberties of a republic, since it offers a strong moral check against the usurpation and arbitrary power of rulers, and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them. [Joseph Story, Commentaries on the Constitution, Volume III, p. 646.]

If the arms owned by the people are profoundly inferior to those of their “rulers,” the ability of the people “to resist” will be diminished, and the “strong moral check”

on those rulers will be lost. Of course, that is what Dianne Feinstein and her ilk want.

## GOA is unique among pro-gun groups

Sadly, other pro-gun groups have run the other way when fully automatic weapons are mentioned.

In fact, a lawyer for one of these other “pro-gun” groups took the position before the U.S. Supreme Court that it was completely reasonable for the federal

government to prohibit private ownership of fully automatic weapons.

But when David Olofson’s AR-15 malfunctioned and he was charged with owning a machine gun, it was GOA that came to his aid — not any other gun group.

No one thinks that the First Amendment should be limited to pamphlets produced one at a time, as in revolutionary days.

No one disputes that the First Amendment also protects radio and TV stations and the Internet.

Likewise, no one should think that the Second Amendment should be limited to Brown Bess muzzle-loading smoothbore muskets and Pennsylvania rifles.

At all times, the Second Amendment was designed to protect the infantry “arms” of the times.

Gun owners can read both machine gun briefs in the *Hollis* and *Watson* cases on the Gun Owners Foundation website at [www.gunowners.com](http://www.gunowners.com). ■



## Obama Coming After Your Guns

Continued from page 1

but the aim is the same.

### Background checks create the framework for gun confiscation

The anti-gun Left wants ALL firearms sales, whether over the counter at a gun store or over the backyard fence with your neighbor, to be subject to an FBI background registration check.

After all, if the government keeps tabs on every firearm sale, it would make it that much easier to take guns away from people who are next to fall into the “prohibited persons” category.

While stopping short of implementing complete Universal Background Checks, the President’s executive actions will have a chilling effect on private firearms sales by treating individuals as licensed gun dealers if, in some cases, they sell “even a few” of their own firearms.

There’s no specific criteria that the government can point to that clearly states when an individual suddenly becomes “engaged in the firearms business,” but individuals who sell their private collections — whether at a gun show or anywhere else — will do so at significant risk.

If the government determines that the person was, in fact, acting as a gun dealer, he would face up to five years in prison and a \$250,000 fine.

Not many people will be willing to sell a gun collection of any size with that Sword of Damocles dangling overhead.

### Obama: Add seniors’ names into NICS gun ban system

In another order, Obama is instructing the Social Security Administration to turn over to the FBI’s gun prohibition list (NICS) the names of beneficiaries who are determined to be unable to handle their own affairs.

This could potentially impact millions of senior citizens, whose cherished gun collections could be at risk of confiscation.

The stage is also being set to use ObamaCare mental health data to bar people from owning guns.

## GOA Helps Talk Show Host ‘See the Light’ on Background Checks

“I thought it was a little hardcore that Gun Owners of America had always opposed the background checks. But actually what happened [when Obama used executive actions to impose private background checks] is a perfect example of *why Gun Owners of America was right from the very beginning* because once you give the government the ‘in’ to do something like this, they’re going to continue to take [our] Second Amendment rights.”

— Talk show host Emil Franzi, January 9, 2016



Obama is proposing an additional “\$500 million investment” for mental health care, while at the same time “expressly permitting certain HIPAA covered entities to provide to the NICS” specific information regarding mental health patients.

This is getting closer and closer to “see a shrink, lose your guns,” which is the reason Gun Owners of America opposed ObamaCare in the first place.

There’s more to the President’s new orders, including hiring hundreds of new government agents to enforce his new gun regime; adding more names to NICS through state records; and instructing the Defense Department and other government agencies to develop so-called “smart gun” technology — an expensive endeavor that can lead to all sorts of problems for self-defense firearms down the road.

With his new orders, Obama thumbs his nose at the Congress and the American people.

### Congress has repeatedly shut down Obama’s gun control initiatives

Congress voted on Universal Background Checks and other gun control measures many times, most recently just days after the San Bernardino shooting, and they went down in defeat each time. (See the article on p. 7)

But in his last year in office (cue the

Hallelujah Chorus), Obama is in full community activist mode. Instead of doing the important work of protecting liberty, he is rallying his leftist troops to agitate for restricting Americans’ liberty to freely own firearms.

In so doing, he makes a mockery of the tremendous challenges we face in keeping America safe from violent thugs and deranged individuals, not to mention radicalized jihadists.

Obama believes that because of recent violence we should take a closer look at our gun laws.

On that point, we agree: We do need to reexamine our gun laws. But what will make us safer is to repeal unconstitutional gun laws — including the President’s new orders.

Gun Owners of America is also working to remove restrictions on law-abiding citizens’ ability to carry concealed firearms. Even a Washington Post-ABC News poll shows that more people favor encouraging the lawful carrying of firearms than passing more gun control in response to terrorism.

And GOA continues to push for the repeal of gun free zones that make for so many “soft” targets. This point is driven home by the fact that almost every mass shooting in America since 1950 occurred in a “gun free zone.”

Turns out that protecting liberty also helps keep Americans safe. ■



# Gun Owners Frustrate Obama, Once Again

by Michael Hammond

The Second Amendment community handed Barack Obama a humiliating defeat in December.

This drubbing came just a few weeks after the Oregon community college tragedy ... one week after the horror in Colorado Springs ... and one day after the carnage in San Bernardino.

Obama has been nursing his bruised ego since gun owners handed him a stunning defeat in April, 2013.

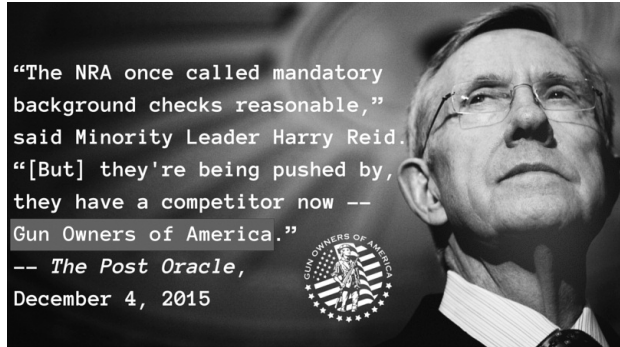
Repeatedly, Obama has said that he is more frustrated by the Second Amendment community, than he is by ISIS.

For example, last summer, the President called the failure to pass new gun control legislation the “greatest frustration of my presidency.”

And in December, Obama’s growing frustration reached new levels.

First, by a vote of 48-50 (with 60 votes required), the Senate rejected a

## Harry Reid Frustrated by GOA’s No-compromise Stance



Manchin-Toomey amendment to impose “universal background checks” and, hence, universal gun registries on law-abiding Americans.

Despite a three-year press-fueled propaganda campaign by every liberal institution in America, the largely party-line vote had exactly the same defectors it had in 2013 — with Demo-

crat Heidi Heitkamp (D-ND) voting pro-gun, and turnout Republicans Mark Kirk (R-IL), Pat Toomey (R-PA), Susan Collins (R-ME), and John McCain (R-AZ) voting anti-gun.

Second, Obama’s efforts to take away Americans’ guns by putting them on a secret blacklist (“watch list”) fared no better.

By a vote of 45-54, this Feinstein amendment fell 15 votes short of the 60 needed for passage. That vote was also largely party-line, with Kirk again voting anti-gun and Heitkamp voting pro-gun.

Gun Owners of America activated its grassroots network prior to these votes, encouraging gun owners to immediately contact their Senators.

Gun owners can sign up for these email alerts at [www.tinyurl.com/kmhqp68](http://www.tinyurl.com/kmhqp68). ■

*Michael Hammond is the Legislative Counsel for Gun Owners of America.*

## A Note from the Chairman: GOA Announces New Executive Director



I am pleased to announce that a new executive director became the official spokesman for Gun Owners of America on January 1 of this year.

As you know, Larry Pratt has guided our organization for almost 40 years as the organization’s executive director. He will remain quite active as GOA’s Executive Director Emeritus — conducting media interviews and hosting his weekly radio program, the GOA NewsHour Radio.

Erich Pratt, who has served in various roles with the organization for over 25 years — and for the

last decade as the Director of Communications — has now stepped into the role of Executive Director.

For all of the leadership and staff at GOA, we want to thank you for your continued support. Gun Owners of America will remain here in the nation’s capital, fighting a no-compromise battle to protect your right to keep and bear arms.

Again, thank you for your support and for your activism. It’s what gives us the encouragement to continue fighting for our rights.

Tim Macy, GOA Chairman

## Are you a GOA Life Member yet?



Enroll as a Life Member at the special charter rate of only \$500, which entitles you to full member privileges.

Also consider the easy payment plan with an initial deposit of \$50 (*with the remainder to be billed to you*) or as a quarterly debit to your credit card for \$50 until your GOA Life Membership is fully paid.

When you contact us by phone, email or mail, please provide us with your name, address, city, state, zip and member number to begin enjoying your Life Member privileges with Gun Owners of America.

**Gun Owners of America**  
8001 Forbes Place, Suite 102  
Springfield, Virginia 22151  
703-321-8585  
[www.gunowners.org](http://www.gunowners.org)



## We Don't Need no Stinkin' Background Checks

by Larry Pratt

I recently did a Spanish-language talk show, Radio Bilingue, and was asked about the President's demand that all firearms transactions be subject to a background check.

I pointed to the hypocrisy of Obama Administration officials — how they want to know about my sale of a revolver to a long-time neighbor, even while they ran a deadly Fast & Furious program which put thousands of semi-automatic rifles into the hands of the Mexican cartels.

The government's reckless pursuit of a political agenda cost the lives of almost 200 people — mostly Mexicans, so maybe they don't matter to the administration?

Over 1,000 guns were lost by the Bureau of Alcohol, Tobacco, Firearms and Explosives. And we learned only recently that one of those Fast & Furious guns was a .50 caliber sniper rifle that found its way into the hands of El Chapo.

All of this happened on Attorney General Eric Holder's watch. Yet there have been no prosecutions of any high-ranking official involved in Fast & Furious.

The Obama administration was behind the greatest effort to arm criminals in recent history, but they don't want you to buy a revolver at a gun show unless government officials approve the sale.

Never mind the fact that the overwhelming majority of gun show sales only occur after government approval! They want an all-encompassing system of registration where every gun buyer has to get permission from — or get registered through — the government.

The dirty little secret, however, is that these background checks are NOT stopping and incarcerating bad guys who try to purchase guns illegally.

There were only 44 prosecutions of buyers going through a background check in the last year of record (when more than ten million guns were sold).

A lot of money and personnel time is devoted to a non-crime-fighting procedure — even while the government was effectively helping guns flow into the hands of the Mexican cartels.

Again, it wasn't honest private sellers who were to blame for thousands of guns getting into the hands of the cartels — it was the federal government.

Does bureaucratic inertia explain why a multi-million-dollar program is continued when it is obviously pointless?

It could, but the more cynical among us suspect that, although prohibited from keeping background check info for more than 24 hours, the feds are compiling a national gun registry from those checks.

Fast & Furious was illegal. The IRS abuses of conservative groups was illegal. And NSA monitoring every call made in the United States is illegal.

Yet since all these abuses happened, should we not have an independent prosecutor look into how the FBI handles gun owner information that is collected pursuant to every background check? ■



**Brady Law  
not keeping  
guns out of  
criminals'  
hands**

**Total background checks  
FBI ran on gun buyers (2010)**

- (1) **72,659** denials by FBI
- (2) **44** prosecuted for illegally trying to purchase a firearm
- (3) **13** convicted and rendered incapable of possessing firearms

Source: Department of Justice, Enforcement of the Brady Act, 2010 (August 2012), p. 8, 11.

### THE Gun Owners

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

**Tim Macy**  
Chairman

**Larry Pratt**  
Executive Director Emeritus

**John Velleco**  
Director of Operations

**Erich Pratt**  
Executive Director

**Chris Stone**  
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>

*The Gun Owners* publication is copyrighted. But copies may be made freely with attribution, giving GOA's address, phone number and web site location.