

## **Reasons to vote for Del. Bill Carrico's HB69, Virginia Firearms Freedom Act -**

1. The NRA reports that Hilary Clinton mentioned the Obama administration's intention to negotiate a new small arms treaty with the UN. In late October of this year, the U.S. joined a nearly unanimous 153-1 U.N. vote to adopt a resolution setting out a timetable on the proposed Arms Trade Treaty, including a U.N. conference to produce a final accord in 2012.
2. If Obama meets UN expectations to adopt the Small Arms Treaty for domestic and international considerations, Obama will be violating our Second Amendment rights. The UN Treaty requires that the US government confiscate guns from law-abiding Americans.
3. The Second Amendment is justified by our natural right of self-defense. Since guns help us implement that right, the second amendment is just and must not be violated-not by our government nor by the UN.
4. The Founding Fathers viewed our Bill of Rights as representing "natural rights." That is, rights we have by nature which exist prior to, or independently of, the existence of government.
5. Montana and Tennessee have already passed a similar law and there are 24 other states following their lead with a FFA either already introduced or intended to be introduced in their next legislative session. The Obama administration challenges the FFA and says it is unconstitutional.
6. Roosevelt effectively manipulated the Court using a threat to expand and pack the Supreme Court with sympathizers and thereby gain court approval of his threatened New Deal programs dramatically expanding the powers of Congress to "regulate commerce ... among the states." This new power was far beyond the scope of what was intended by the Founding Fathers.
7. In *Gonzales v. Raich* (2005), the U.S. Supreme Court upheld the power of Congress to enforce federal anti-marijuana laws despite state law approval of medical marijuana. The Court held that medical marijuana grown and consumed in California was indistinguishable from marijuana transported across the state line, and therefore affected interstate commerce, even in the absence of any legal market in marijuana.
8. The Firearms Freedom Act (FFA) is a direct challenge to federal commerce clause authority because it declares that any firearms made and retained in a state are not subject to federal commerce clause authority. Firearms made under the authority of the FFA must be stamped "Made in Virginia", making them distinguishable from other firearms, unlike the indistinguishable medical marijuana in *Raich*.
9. The VFFA will create much needed jobs in Virginia. Though there are currently no gun manufacturers in Virginia, if this bill is passed, it is likely that there will be.
10. The commerce clause (1788) was amended, by the Tenth Amendment (1789), so the Tenth Amendment, being the most recent expression of the enacting authority, must prevail over an unlimited interpretation of commerce clause authority to regulate firearms made and retained in a state.