

FOAC- Monthly Meeting Agenda August 8th, 2021

1. Call to Order / Pledge of Allegiance / Moment of Silence – Troops / Prayer

Roll Call: Quorum [Yes] [No]

- 1) Kim Stolfer 4) Aaron Bernstine
- 2) Jim Stoker 5) Ed Bogats
- 3) Danielle Ohliger 6) Stephen LaSpina
- 7) Chip Gallo
- 10) Tony Guy
 11) Klint Macro
- 8) Gerald Jackson
- 9) Dan McMonigle
- 2. Approval of Proposed Agenda:

2.1 Changes (if any):

3. Guest Speaker(s):

4. Secretary's Report: FOAC Secretary: Dale Brackin-Minutes

5. Fundraiser, "The Return of the Gun Bash" – Tickets for the in-person October 9th FOAC Fall Gun Bash will go on sale in August. Tickets can be purchased online <u>https://foac-illea.org/Gun-Bash</u> from your favorite FOAC ticket seller or by postal mail from Dale by sending an email to <u>secretary@foacpac.org</u> – address is 1316 Lindbergh Avenue Pittsburgh, PA 15223-1128

The Fall Gun Bash will coincide with the launch of **FOAC-ILLEA**, which is the sister organization to FOAC-PAC, and is a 501c4 organization.

It is through the dedicated work of FOAC volunteers that our Gun Bashes have been so successful. We need volunteers to help with the October Bash. There are many areas for which to volunteer. If you want to help out send an email to <u>info@foacpac.org</u>

6. Election Issues –

6.1 FOAC Voter Guides – Guides for the Fall General Election are available on the website at this link: <u>https://foac-pac.org/Voter-Guide</u>

6.2 HR1 – as discussed in our previous meetings this D bill comprises a massive Federal takeover of elections and moving forward would lock in all the corruption operating in last November's election. It was enthusiastically passed by house Ds, then sent to the US Senate where it has been stuck. In response to this the Ds have switched their emphasis to another bill, the John Lewis Act, or HR4. While also an election bill it has a somewhat smaller focus and is an attempt to secure more R support to avoid the block in the Senate.

7. Current Issues & Activist Efforts:

7.1 The Failure of Philadelphia Gun Buy Backs – So called "Gun Buy Backs" generally arranged by pro disarmament community organizations and at times in collusion with local government officials are essentially a posturing and distraction. They have the superficial appearance of doing something about a "straw man" problem (guns on the streets, not crime and criminals on the street) and engaging in the classical magician technique of misdirection in an effort to prevent anyone from noticing the real problem of failed government policies. The problem is not too many guns on the street it is too many criminals not prosecuted and too much repeat crime. The name is a misnomer because you cannot buy back something

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you did not own to begin with. While a "sound good" technique by anti gunners, they are completely ineffective in addressing crime and are fraught with a number of problems. Pa law requires any handgun transfer to go through an FFL, therefore a transfer without an FFL is a crime – GBB's generally do not include an FFL. The firearms are not checked for their possible use in crime, nor are they checked to see if they were reported as stolen. No criminal is going to turn a firearm that still has utility for them – however they certainly can make use of an opportunity to dispose of a problematic firearm, with no questions asked. **FOAC Board Member, Dan McMonigle,** did a personal investigation of a recent Philadelphia GBB, and will share with us several thoughts about what he observed first hand. His on the spot actual observations differ significantly from the spin presented in the local media.

7.2 Marijuana on the Federal Level - There are currently 36 States plus the District of Columbia that have legalized medical Marijuana. There are 19 States plus DC that have legalized the recreational use of Marijuana. Other States continue to attempt to address this issue though introducing legislation as well as though ballot measures. How is this RTKBA issue? While States pass marijuana legalization, its use and possession is still illegal on the Federal level. In fact, ATF relatively recently modified their 4473 to specifically state that use and possession is a prohibitory factor. Therefore, despite state legalization a firearm owner who uses medical marijuana becomes de facto prohibited from owning, possessing, purchasing a firearm or LTCF. Failure to answer honestly on the 4473 is a felony. Eventually when database info is expanded having a medical marijuana card can show up and result in prosecution and/or confiscation. A Good Samaritan who may also just pick up an marijuana prescription for an elderly or sick relative or friend also commits a crime on the Federal level – possession. Why should an individual -a veteran for example -be faced with the choice between using an effective treatment option for a previously intractable condition or having to use pharmaceutical drugs with serious debilitating/addictive side effects and retaining his/her right to protect themselves? There is legislation in the US Senate, "The Cannabis Administration and Opportunity Act" introduced by Shumer which would decriminalize marijuana, removing it from a Schedule 1 drug, on the Federal level, thereby resolving the dilemma that patients currently find themselves in with respect to their firearm rights. The bill would not legalize marijuana, but decriminalize it and each state would still be able to determine its own status within the particular state. The bill would also expunge prior convictions for non-violent marijuana related offenses, freeing up both law enforcement and prison resources. The FDA would become the primary Federal regulatory agency for the manufacturing, marketing and sales of cannabis related products - generating fees and taxes.

7.3 Senate Hearing on Biden ATF Nominee – The Senate Majority leader has not called for a vote on Chipman indicating that he does not believe there currently are enough votes. Some moderate Ds are apparently not yet convinced that putting a radical gun control zealot in charge of the ATF is a good thing. In addition, the American Accountability Foundation put together a 21-page research report listing numerous problems in Chipman's history including: undisclosed EEOC complaints, failure to release personal records including disciplinary actions, credible claims of losing his firearm, attempting to take an impermissible \$44K ATF relocation benefit. Problematic twitter comments include supporting defunding the police, approving radicals destroying monuments and opposing efforts based on the rule of law, supports BLM, discusses Orwellian pre-crime arrests, lied about firearm use at WACO, not knowledgeable about technical issues related to firearms and denigrated new gun owners. There are also reports of his racially discriminatory comments against Black American agents: "Wow, there were an unusually large number of African American agents that passed the exam this time. They must have been cheating." Chipman has also made a series of radical, inaccurate, and inflammatory comments that raise serious questions about his judgment and fitness to lead. The full AAF report can be found at this link:

http://wordpress.bidennoms.com/wp-content/uploads/2021/07/Chipman-Research-Report.pdf In light of these additional red flags Senate R's all calling for an additional Judiciary hearing before any action

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to advance a vote to the floor. Judiciary Chairman Durbin denied the second hearing request. Majority Leader Shumer does not yet have the guaranteed votes to bring this nomination to a floor vote. The one or two Ds who are not aligned still would prevent a successful vote.

7.4 18-21 Year Old's and the RTKBA -

7.4.1 4th **Circuit Federal Court** - A three judge panel in a 2-1 decision ruled that the 2nd Amendment protects the rights of 18-21-year olds to buy handguns. "History makes clear that 18- to 20-year-olds were understood to fall under the Second Amendment's protections,..., and most other constitutional rights apply to this age group. And Congress may not restrict the rights of an entire group of law-abiding adults because a minuscule portion of that group commits a disproportionate amount of gun violence." The court ordered a lower court's ruling upholding the ban to be vacated and remanded for a new ruling in line with their guidance. The federal government will now have to decide whether to appeal the ruling to a full panel of the Fourth Circuit. <u>https://foac-pac.org/Federal-Court-Declares-Handgun-Ban-For-Adults-Under-21-Unconstitutional/Legal-News-Item/1335</u> This court's jurisdiction includes Maryland, N and S Carolina, Va and West Va.

7.4.2 FPC Files Opening Brief Challenging Pa's Ban on Firearm Carry by 18-21 year olds – On June 30th Firearms Policy Coalition (FPC) announced the filing of an opening brief in the appeal of its federal Second Amendment lawsuit challenging the State of Pennsylvania's laws that prevent young adults under age 21 from carrying a loaded firearm outside of the home for self-defense. The brief in *Lara v. Evanchick* can be viewed at

https://d3n8a8pro7vhmx.cloudfront.net/firearmspolicycoalition/pages/5782/attachments/original/ 1624477595/Lara_v_Evanchick_Brief_of_Plaintiffs-Appellants.pdf?1624477595 Federal District Court Judge Stickman – a Trump appointee – previously dismissed this case stating 18-21 y olds have no 2a Rights. FPC's brief filed in the Third Circuit Court of Appeals argues that "[t]he text of the Second Amendment leaves no doubt that it applies outside the home" and that the "right to keep and bear arms belongs to 'the people' as a whole," "not [just] the subset of the people who have attained the age of 21." "Additionally, the brief says that the state has no public-safety justification for the ban. "FBI statistics indicate that 18-to-20-year-olds are arrested for violent crimes no more frequently than, say, 21-year-olds—and the percentage of wrongdoers in this age bracket who do commit violent crimes is an infinitesimal fraction of the age group as a whole," the plaintiffs argue." The brief also points to the 18-21 year olds enjoyed 2A rights by history and tradition. https://foac-pac.org/Fpc-Files-Opening-Brief-In-Second-Amendment-Lawsuit-Challenging-Pennsylvania%E2%80%99s-Ban-On-Firearm-Carry-By-Adults-Under-21/Legal-News-Item/1333

7.5 Another Gun Control Myth, ACLU Claims Racism is Foundational to 2A – Facts mean nothing to these individuals as they continue their story telling of Marxist fantasies which they try to pass off as history. This one is a real Once upon a timer! Keep in mind that the purpose of this story telling (lies) is to create a new reality which all must not only agree with but also believe and in doing so it attempts to erase real history – this is totalitarianism at its utmost. History goes down Winston's delete slot in line with the Marxist principle that "the present controls the past." A spokesperson for the ACLU during a podcast maintained that "antiblackness" determined the decision to include the Second Amendment in the Bill of Rights and it emboldened white supremacists to control black people and destroy their rights. Further, the lack of "viable gun safety laws" is due to the power of antiblackness. https://www.breitbart.com/politics/2021/07/26/aclu-excoriated-for-claiming-racism-foundational-to-second-amendment-embarrassment-to-your-own-history/ History however clearly shows that it is gun control – the denial of these rights – that is racist.

7.5.1 The Racist Roots of Gun Control – "In any case, the real racism associated with the Second Amendment isn't in the rights of gun ownership that the Bill of Rights cemented into the Constitution's text. It is in the long and shameful record of those rights being denied.

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"For much of American history, gun-control measures, like many other laws, were used to oppress African Americans." https://foac-pac.org/The-Very-Racist-History-Of-Gun-Control/News-Item/12616 Post-civil war Southern Democrat States passed Black Codes which prohibited freedmen from possessing firearms. These are the fore runners of current day permit systems which were set up by Southern States to insure blacks would not get permits. The most notorious of the gun control posse to enforce the Black Codes and intimidate Southern Communities was the Klu Klux Klan. It was difficult for the Klan to generate the correct level of terror in a victim that was returning fire. The Second Amendment was as indispensable to Black Liberty as the rest of the Bill of Rights. More recently the 1968 Gun Control Act - another democrat bill - which was passed under the pretense of addressing the Kennedys and King assassinations as well as crime actually targeted so called "Saturday Night Specials" which had nothing to do with the assassinations. This was a term for inexpensive firearms generally imported and purchased by poorer people. The poor had become the target of gun control. By depriving these individuals of firearm access this legislation helped insure that only the criminals would have guns in these communities. One of the other underlying motives was to keep black militant groups from arming themselves with inexpensive and readily available firearms. Martin Luther King was denied a permit to carry even after his house was fire bombed. Recently there has been a 58% increase in Blacks purchasing firearms in response to the violence and lack of government action. The National African American Gun Association has grown from one chapter in 2015 in Atlanta to 127 chapters with 39,000 members. "They regard the Second Amendment not as a racist relic but as a critical defense against violent racism and other threats. The soaring rate of gun ownership among Black Americans is a reassuring sign that the Bill of Rights is alive and well and doing what it was designed for - Even if the ACLU, these days, seems unclear on the concept."

SCOTUS has received 52 friend of the court briefs pertaining to its upcoming hearing of the NY case. Among them is an amicus (https://www.supremecourt.gov/DocketPDF/20/20-843/184718/20210723101034102_20-843%20Amici%20Brief%20revised%20cover.pdf) by the Black Attorneys of Legal Aid which focuses directly on the personal and intimate pain suffered by innocents, especially innocent people of color — black and Hispanic — who transgressed, often without knowing it, New York City's draconian and unconstitutional limits on their right to keep and bear arms. BALA presents six cases with the intention of establishing that not only do New York's gun-control laws prevent law-abiding citizens from obtaining permission to keep and bear firearms outside their homes, they are being used primarily against people of color. https://thenewamerican.com/scotus-will-hear-challenge-to-new-yorks-gun-laws/? ct=t(EMAIL_CAMPAIGN_12_2_2019_15_37_COPY_01)&mc_cid=d3b6c9d198&mc_eid=d9f72db2

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7.5.1.1 Additional References – For more detailed and thorough history of the racist roots of gun control the following references are recommended. The Racist Roots of Gun Control <u>https://foac-pac.org/uploads/Cramer-Racist%20Roots%20Gun%20Control.pdf</u> / The Discriminatory History of Gun Control <u>https://digitalcommons.uri.edu/cgi/viewcontent.cgi?article=1142&context=srhonorsprog</u> / An older but still good JPFO video "No Guns for Negroes" <u>https://www.youtube.com/watch?</u> <u>v=2iQPKT9teck</u>

7.6 The 1619 Project and The 1776 Report – The 1619 Project was a lengthy article published in the New York Times in August 2019. It is an attempt to rewrite American History through the lens of slavery. It is an offshoot of Critical Race Theory. It establishes 1619 as the founding of America when 20 Africans arrived in the colony of Virginia and states that the real reason for the American Revolution was to protect and perpetuate slavery. The Declaration of Independence and the Constitution are referred to with contempt and criticism alleging that America's founding ideals was false when they were written. It also maintains that slavery is cooked into the DNA of our country and at the traditional time of the founding the extent of slavery was unlike anything seen in the world

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before. This is clearly a Marxist fantasy. The assertions fly in the face of historical facts; none of it is true history. It is simply a made up ideological story. Nevertheless, it has made its way into the curriculum of at least 4500 school districts. In response President Trump created the President's Advisory 1776 Commission to counter these lies and affirm the true history of our founding. This commission knew they would be disbanded when Biden snatched the Whitehouse so they worked hard to put together their report before that happened. The **1776 Report** was published in Jan 2021 It discusses the meaning of our Founding Documents, as well as the challenges to America's principles including slavery, progressivism, fascism, communism and identity politics. It also describes the tasks of national renewal including the role of the family, education, and respect for the laws. Its goal is to restore understanding of the greatness of the American Founding. The report is available at this link: https://trumpwhitehouse.archives.gov/wp-content/uploads/2021/01/The-Presidents-Advisory-1776-Commission-Final-Report.pdf

7.7 Seriously Bad Move by Remington – Remington corporate management made a decision to offer a \$33 million-dollar settlement to litigation by several Sandy Hook School families. The latter are planning their next move. This is an astoundingly egregious decision on the part of Remington management which will be devastating for Remington, for all of the industry and for all firearm owners - with of course the exception of criminals. Remington has already declared bankruptcy and is just getting back on their feet. This foolish move will put Remington on the gun community's boycott list, seriously affecting sales. Offering this settlement is clearly perceived as admitting wrong doing. This will set precedent and open the door for more law suits by antigun activists and a further ignoring of the law. https://gunfreezone.net/fk-ken-darcy-and-remingtons-corporate-management/ A target of the Biden administration is the PLCAA which prevents nuisance lawsuits against firearm manufacturers and this furthers the erosion of this protection and gives ammunition to politicians who want to kill the PLCAA. Without the protection of the PLCAA – which essentially gives the firearm industry the same protection other industries already have - firearm manufacturers, FFLs etc would not be able to afford to operate. This also can give the message to financial institutions that firearm related businesses are too risky. This admission of fault comes on the heels of the McCloskey's accepting a plea deal – pleading guilty to lesser charges. This is admitting wrong doing for defending oneself against a violent threatening mob. This too will set a precedent to be used in the courts against law abiding citizens who have to protect themselves from assault.

8. Training Tips. Safety and Self Defense in a New Society- In this month's training tip, Dr. Ed Bogats FOAC BOD, 10-year Director of Safety/Security and Campus Police, CCAC and Lead Trainer/Owner (29 years) of EJC Security Services and 40 years in law enforcement, will discuss: Psychological and Physiological Reactions Under Extreme Stress. What kinds of reactions can your body and mind go through during the extreme stress of a defensive encounter? What are the implications for training choices?

9. Media and Events:

9.1 Concealed Carry Seminar – Rep. Carrie DelRosso hosted a Concealed Carry Seminar for residents of the 33rd PA House District on **Tuesday, July 27th**, at the ACME Club, located at 230 Herron Ave., Cheswick, PA 15024. Kim Stolfer, President of FOAC presented information on Concealed Carry law and firearms law as well as other pertinent topics including details on acquiring a License to Carry Firearms

9.2 Support the Police – On September 29th Kim Stolfer participated as a speaker in this event at the Oaks Theater to support and honor police. It was hosted by the Oakmont Republican Committee.

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9.3 Burgers with Bud – On 7/25/21 Kim Stolfer and FOAC members Herb Ohliger and Jim Stoker attended this event in Charleroi to support FOAC friend Representative Bud Cook.

9.4 Sen. Bartolotta 5th Annual Sporting Clays – FOAC Volunteers Kim Stolfer attended this event at Seven Springs.

10. Legislation:

10.1 Pa Legislation: The Pa General Assembly adjourned for the summer without passing the critical Pro-gun bills, Strengthening Preemption and Constitutional Carry. None of the anti-gun bills saw any movement. No gun control bill should ever see any movement in Pa since the R's maintain the majority in both Houses. Attention of the General Assembly has been focused on the budget, which was passed on June 25th. The Pa House will reconvene on September 27th and the Pa Senate on September 20th.

10.1.1 HB 979 Strengthening Pa Preemption (Dowling) –It stands ready for a floor vote in September. <u>https://foac-pac.org/Proposed-Pennsylvania-House-Legislation-HB979/State-Law/4409</u>

10.1.2 SB 565 (Dush) – Constitutional Carry – Senate Version. It should be up for a Senate floor vote in September. <u>https://foac-pac.org/Proposed-Pennsylvania-Senate-Legislation-SB565/State-Law/4495</u>

10.1.3 Pa State House – 61 Firearm related bills, 36 anti-gun and 19 pro-gun. Current Pa House legislation can be accessed at this link <u>https://foac-pac.org/Proposed-Pennsylvania-House-Legislation</u>

10.1.3.1 HB1587 – Kim worked with Rep Brown to propose HB1587, a bill that would be a first step in directly addressing a core cause of escalating violent crime – ie criminal prosecution. https://foac-pac.org/Proposed-Pennsylvania-House-Legislation-HB1587/State-Law/4648

10.1.4 Pa Senate– 32 Firearm Related bills, 21 anti-gun, 6 pro-gun. Current Pa Senate legislation can be accessed at this link <u>https://foac-pac.org/Proposed-Pennsylvania-Senate-Legislation</u>

10.1.5 Critical Pro-Gun Legislation in Pa House and Senate

-HB979 / SB 448 Strengthening PA Preemption (Rep Dowling/Sen Langerholc) -HB280 PICS to NICS (Rep Ortitay)

-HB659 / SB 565 Constitutional Carry (Rep Bernstine / Sen Dush)

-HB921 Strengthening Self Defense - Disparity of Force (Rep Davanzo)

-HB357 / SB624 Right to Bear Arms Protection Act (Rep Metcalfe/ Sen Mastriano)

-HB1007 Firearms Transfers During PICS Outages (Rep Metzgar)

10.1.6 Anti-Gun Legislation in Pa House and Senate

- Assault Weapon Ban HB698 / HB717 / HB770

- Mandatory Background Checks All Firearms HB 235 /HB 338/ HB/1235/ SB88

- Repeals Preemption HB361 / HB 1538

- Mandatory Background Checks for Ammo Purchase HB393

- Expansion of Gun Free Zones ex polling places HB528 / HB737 / HB1090

- Lost or Stolen Mandatory Reporting HB699 / HB980 / SB217

- Licensing Firearm Ownership & Mandatory Training HB872 / SB226

- Extreme Rick Protection Orders - Red Flag Laws HB1211 / SB134

- No Fly List Gun Ban SB490

10.2 Federal Legislation;

10.2.1 US Senate– 46 Firearm related bills, 26 anti-gun, 11 pro-gun See updates at <u>https://foac-pac.org/Proposed-Federal-Senate-Legislation -</u>

10.2.1 US House – 117 firearm bills, 61 anti-gun, 31 pro-gun – **Pro-gun bills** include **HB38** which is Concealed Carry Reciprocity and **HB 95** The Hearing Protection Act which removes suppressors from NFA regulation.<u>https://foac-pac.org/Proposed-Federal-House-Legislation</u>

10.2.1.1 HB1446 Enhanced Background Checks Act of

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2021–.<u>https://foac-pac.org/Proposed-Federal-Legislation-HB1446/Federal-Law/8884</u> Passed by the House on 3/11/21 219 to 210 and sent the Senate on the same day. No further action as of this point. 10.2.1.2 HB8 Bipartisan Background Checks Act of 2021

https://foac-pac.org/Proposed-Federal-House-Legislation-HB8/Federal-Law/8885 This bill was passed by the US House on 3/11/21 227 to 203 and sent to the US Senate on the same date. No further action has been taken as of this point.

11. Events: Please check the FOAC website for updates <u>https://foac-pac.org/Events</u>

11.1 Critical Race Theory/The Face of Socialism – sponsored by Patriots 4 Action. Speakers Former Judge Cheryl Allen and John Ventre (John is a FOAC Life Member) – August 18, Lamplighter Restaurant in Delmont 7-830 pm 412-999-0240 for RSVP

11.2 Convention of States Debate (Not Open to Public / Only SW PA House Caucus Mbrs.) – August 24 Beacon 1, Abele Park, South Fayette, PA

11.3 Concealed Carry Seminar – 8/22/2021 – Rep. Mike Puskaric 1-3pm.

Carrick Sportsmen's Club, 3301 Ridge Rd., South Park Township, PA. FOAC has a table – Staff Needed . Volunteers attending Kim Stolfer and Roger Kronz.

11.4 2nd Amendment Local Rally – 8/28/21,10am to 3pm, Langehorne Rod & Gun Club, 251 Stoneyford Road, Holland, PA 18966 FOAC has a table – Staff Needed . Kim Stolfer is attending.

11.5 Concealed Carry Seminar - 9/16/21 6-9 pm hosted by Rep. Barb Gleim at Carlisle Fire and Rescue, 177 Carlisle Spring Road Carlisle, PA 17013 FOAC has a table and Kim Stolfer will be presenting. Volunteers are needed.

11.6 Concealed Carry Seminar - 9/23/2021 6-9pm – hosted by Rep. Lou Schmitt Location TBD.- Kim is presenting. FOAC will have a table and volunteers are needed.

11.7 2nd **Amendment Breakfast** in collaboration with Rep. Matt Dowling 9/28/21 in Harrisburg, time and location TBD. Kim will be attending.

11.8 FOAC Fall Gun Bash – October 9th Washington County Fairgrounds 1-6 pm

11.9 Rod of Iron Freedom Fest – October 8. 9. 10 Kahr Arms/Tommy Gun Warehouse, 105 Kahr Ave, Greeley, PA 18425 FOAC has a booth and table . Kim Stolfer will be attending.

11.10 Concealed Carry Seminar – Ambridge District Sportsmen's Assoc.10/16/21 10 am to noon. ADSA Clubhouse, 2900 Ridge Road Extension, Baden PA, 15005 Kim is attending. Volunteers needed.

11.11 Concealed Carry Seminar – Rep. Matt Dowling 10.28/21. 6-8 pm location TBD. Kim is presenting.

11.12 Concealed Carry Seminar –11/4 6-8 pm hosted by Rep. Tim O'Neill (Tentative) Location TBD – Kim will be presenting. Volunteers needed.

12. Good of the Order:

13. Adjournment