



## Today in Liberty: Federal court strikes down D.C.'s handgun carry ban, deal reached on V.A. reform as August recess looms

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— **D.C. carry ban struck down in federal court:** The United States District Court for the District of Columbia struck down one of D.C.'s most onerous gun control laws on Saturday. “In light of *Heller*, *McDonald*, and their progeny, there is no longer any basis on which this Court can conclude that the District of Columbia’s total ban on the public carrying of ready-to-use handguns outside the home is constitutional under any level of scrutiny. Therefore, the Court finds that the District of Columbia’s complete ban on the carrying of handguns in public is unconstitutional,” wrote Judge Frederick J. Scullin, Jr. in the opinion (PDF). “Accordingly, the Court grants Plaintiffs’ motion for summary judgment and enjoins Defendants from enforcing the home limitations of D.C. Code § 7-2502.02(a)(4) and enforcing D.C. Code § 22-4504(a) unless and until such time as the District of Columbia adopts a licensing mechanism consistent with constitutional standards enabling people to exercise their Second Amendment right to bear arms. Furthermore, this injunction prohibits the District from completely banning the carrying of handguns in public for self-defense by otherwise qualified non-residents based solely on the fact that they are not residents of the District.” So, basically, you can now get a license to carry a handgun in the District. What’s more, officials are granting full reciprocity to permits from other states. Awesome. Alan Gura, who argued *Heller* and *McDonald* at the Supreme Court, was the attorney for the plaintiffs in this case, *Palmer v. District of Columbia*. The plaintiffs in the case include Tom Palmer, a senior fellow at the Cato Institute. Palmer was also co-plaintiff in the *Heller* case.

— **Waiting for the lulz from D.C.’s delegate:** We can’t help it. After her freak out over Rep. Thomas Massie’s (R-KY) amendment to bar the District from enforcing its onerous gun control laws, we keep checking Delegate Eleanor Holmes Norton’s (D-DC) congressional website to see if she’s reacted to the *Palmer* decision. She hasn’t...yet. Massie, however, has weighed in. “BIG VICTORY! Federal judge in DC confirms what I’ve been saying all along: DC’s gun control is #UNCONSTITUTIONAL,” Massie wrote on Facebook. “When my legislation to defund DC’s gun control passed the house last week 241:181, Washington liberals cried ‘home rule’ and ‘states’ rights.’ This isn’t about local control. ‘Shall not be infringed’ applies EVERYWHERE in the US.”

— **Looks like there’s a deal on V.A. reform:** With just five days left to go until the August recess, after which the chances of getting anything done legislatively are minimal, Rep. Jeff

Miller (R-FL) and Sen. Bernie Sanders (I-VT) have reportedly reached a deal to reform the scandal-plagued Department of Veterans Affairs. “Specific details of the agreement were not immediately clear, but any legislation would likely give the VA secretary a broader ability to fire senior officials accused of mismanagement. The deal is also expected to allocate money for veterans who have been awaiting medical treatment for longer than 30 days the ability to leave the VA system for care,” *Politico* notes. “Negotiations hit a snag last week over disagreements with how to offset portions of the bill, which will likely cost between \$10 billion and \$25 billion, and also how to handle a last-minute request from acting VA Secretary Sloan Gibson for \$17.6 billion to hire more doctors and make improvements to VA centers.” If the deal is done, Congress will probably move quickly on passage this week.

— **“Compassionate conservatism” is back again:** We’ll be perfectly honest with you. We tend to cringe whenever we hear the term “compassionate conservatism.” While it sounds nice, “compassionate conservatism” brings reminders of the profligacy under George W. Bush’s administration. But the new compassionate conservatism coming from some top Republicans is, well, the right kind because, rather than just throwing money at problems, they’re actually trying to right some wrongs. “House Budget Chairman Paul Ryan (Wis.), the GOP’s vice presidential nominee two years ago, became the latest leading Republican official to venture into areas not known to be friendly to the party, rolling out a broad anti-poverty draft this week,” *The Hill* explains. “Other top Republicans rumored to be 2016 presidential contenders, such as Sens. Rand Paul (Ky.) and Marco Rubio (Fla.), have made similar efforts in recent months, searching for a more compassionate approach to the poor and also dipping into areas like voter rights and criminal justice reform.” The merits of the Ryan anti-poverty plan are worth discussing, but at least what he put forward is a good place to start the discussion. Don’t get us wrong. We’re not endorsing “compassionate conservatism.” But we do like what we’re seeing and hearing from some Republicans about tackling big issues in a fiscally responsible way.

— **Leahy to rollout NSA reform bill tomorrow and tech firms are happy:** Senate Judiciary Committee Chairman Patrick Leahy (D-VT) will introduce compromise legislation tomorrow that, if passed, would end the National Security Agency’s bulk metadata collection program and do much, much more. “Leahy’s bill... adds new provisions on transparency that would represent big wins for tech firms. It would allow tech companies to disclose more details about the government requests for data they receive, and require the surveillance court to issue clear summaries of how its opinions would impact civil liberties,” *The Hill* reports. “Tech firms large and small have complained that customers are wary of them because of the revelations about the NSA’s surveillance of their systems. Analysts say those worries translate into billions of dollars in lost profits.” The New York Times editorial board has heard enough about Leahy’s bill to endorse it. “Over all, the bill represents a breakthrough in the struggle against the growth of government surveillance power,” *The Times* says. “The Senate should pass it without further dilution, putting pressure on the House to do the same.” Leahy reportedly worked with the White House on the language, so that may be enough to get most congressional Democrats on board. What the House will do if this measure passes the Senate, however, will be interesting to watch.

— **You could be the NSA’s Baghdad Bob:** The National Security Agency is looking for a “Director of Strategic Communications,” someone who can try to convince Americans that domestic surveillance is totes fine and the Fourth Amendment doesn’t mean what it actually

says. The NSA is willing to pay someone up to \$175,000 a year to sell their soul to the surveillance state.

— **End federal prohibition:** *The New York Times* editorial board says that it's time to end federal marijuana prohibition. "There are no perfect answers to people's legitimate concerns about marijuana use. But neither are there such answers about tobacco or alcohol, and we believe that on every level — health effects, the impact on society and law-and-order issues — the balance falls squarely on the side of national legalization," *The Times* says. "That will put decisions on whether to allow recreational or medicinal production and use where it belongs — at the state level." Unlike other *Times* editorials on political issues, this one is pretty well thought out, recognizing the concerns and arguments from both sides of the debate, and it's a discussion that that the paper's editorial board is going to continue to push in the coming days.

— **Boeing is the worst:** Boeing, the largest beneficiary of Export-Import Bank subsidies, has fired back at House Finance Committee Chairman Jeb Hensarling (R-TX) over his push to end the New Deal-era federal agency. "Eliminating Ex-Im would weaken our industry. We know that," Boeing President and CEO Tim Keating wrote in a letter to Hensarling. "Our customers have been telling us for months that if Ex-Im is not there in the future to support their financing needs, they may have no choice but to buy their airplanes and satellites from other nations." Boeing reported \$86.6 billion in revenue in 2013 and \$4.5 billion in net-income. The multinational corporation received just under \$8 billion in loan guarantees from the Export-Import Bank in FY 2013.

— **Yeah, Obama is probs gonna have to seek congressional approval:** That's the message the House of Representatives sent to the White House on Friday. The lower chamber easily passed a resolution (H.Con.Res. 105) forbidding President Obama from deploying or maintaining U.S. military forces in a combat role in Iraq without congressional approval. Introduced by Rep. James McGovern (D-MA), the original resolution was much stronger. It directed President Obama to remove all U.S. forces from Iraq within 30 days from passage, excluding troops needed to protect American diplomatic outposts and personnel. If that was deemed unworkable, the resolution gave the administration until the end of the year to make it happen. The resolution was amended on the House floor without objection.

— **Amash picks up a big endorsement:** Rep. Justin Amash (R-MI), who is in a contentious primary battle against an establishment-backed challenger in MI-03, picked up a notable endorsement over the weekend from *The Grand Rapids Press*. "We support Amash's efforts to change the culture of Washington, even if we do not endorse each of his methods to accomplish this so far," the paper's editorial board explained. "That said, the status quo in Washington must not prevail. Amash is the better candidate to challenge long-standing conceptions of how business is done there, and we support his bid for reelection." Meanwhile, the Michigan Chamber of Commerce has gone on the airwaves in the district with a \$100,000 ad buy for Brian Ellis, Amash's establishment-backed challenger. Amash leads Ellis by 23 points, according to the most recent poll, and the libertarian-leaning congressman feels good about the race he's run. The primary is August 5, a week from tomorrow.

— **Franklin Center beats Terry McAuliffe’s cronies in federal court:** The conservative watchdog group had extensively covered McAuliffe’s close ties GreenTech Automotive. The “green” car manufacturer, in response, filed an \$85 million libel suit against the Franklin Center, a clear attempt by McAuliffe’s cronies to shutdown the organization. But, on Thursday, a federal judge dismissed the suit. “I stand behind our work and had no doubt that GreenTech’s claims would be dismissed,” Franklin Center President Jason Stverak said in a press release on Friday. “We’ve always believed this lawsuit was merely an attempt to silence the press in an election year. We will remain committed to reporting the truth and exposing waste, fraud and abuse.” The federal judge dismissed the case because the “articles were aimed at McAuliffe and his bid to become Governor of Virginia,” not at GreenTech.

— **Tax cronyism is rampant in the states:** Often sold on the basis of “economic development,” carve-outs created in state tax codes, more often than not, benefit very few people and industries, according to a new report from the American Legislative Exchange Council’s (ALEC) William Freeland and Ben Wilterdink. “Tax carve-outs rarely meet their goals for economic growth,” said Wilterdink in a press release. “Worse, by allowing specific firms or industries to be exempted from ordinary tax treatment, there is a large incentive for firms and industries to rely on government for an unfair competitive advantage, which opens the door for abuse.” The report, *The Unseen Costs of Tax Cronyism: Favoritism and Foregone Growth*, notes that Maryland, Illinois, Oregon, and New Jersey are among the worst “for maintaining especially cronyist tax policies.”

— **Birthdays:** Happy birthday to United Liberty’s own Louis DeBroux. Louis, who celebrated his birthday on Sunday, hasn’t been around much the last couple of weeks because he’s doing liberty away from the keyboard by volunteering for a successful congressional campaign in Georgia.