



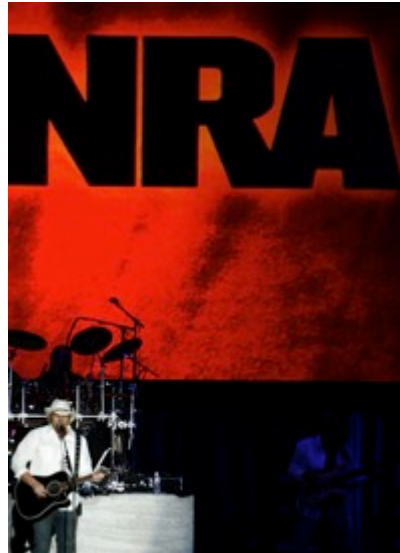
Written by [Raven Clabough](#) on June 17, 2010

NRA Trades First Amendment Rights for Second Amendment Rights

The National Rifle Association (NRA) has confirmed that they willingly cut a deal with Congress at the expense of free speech. The compromise is simple: We will not stand in the way of the proposed Disclose Act, believed to infringe upon First Amendment rights, if you do not infringe on our Second Amendment rights.

What's worse is that the NRA will be exempt from the rules outlined in the Disclose Act.

Democratic Senator Chuck Schumer and House Representative Chris Van Hollen proposed a campaign finance bill, called the Disclose Act, in response to the January Supreme Court decision in *Citizens United v. Federal Election Commission*, which upheld that corporations, unions, and nonprofit organizations are permitted to make campaign contributions under the First Amendment, ultimately relaxing the rules of campaign finance. The 5-4 decision was controversial, as it rejected restrictions on political communications and funding resources. Democrats fear that the Supreme Court decision would allow for a greater influx of corporation contributions to campaigns, which they believe will aid in Republican victories.



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According to the American Society of Association Executives (ASAE), the Disclose Act will do the following:

The bill is expected to enhance disclaimers in political ads to require corporations, unions or trade associations to stand by any political ads they finance. A summary of the bill requires the top five contributors to an organization also be listed on the screen. It also requires organizations to disclose donors. The bill gives organizations two options: either disclose all donors of \$1000 or above to its general fund, or set up a separate "campaign-related activity" account and disclose only those political donors of \$1000 or above. If, however, the organization transfers \$10,000 or more from the general fund to the political account, it must then disclose all general fund donors in excess of \$10,000. Other provisions in the bill are expected to curb foreign influence in



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elections, mandate disclosures of political spending to shareholders and members, and prevent government contractors and recipients of government bailout funds from spending money on elections.

Yahoo News explains that the Disclose Act proposal will "bulk up disclosure, political coordination and disclaimer requirements, and impose new limits on political involvement by government contractors and foreign governments."

Politico states that the Democrats have defended exempting the NRA from the Disclose Act by asserting that the NRA "has a long history of being involved in the political process, and they say the real goal of the new campaign finance bill is to expose corporations and unions that create ambiguous front groups to run attack ads during campaigns." Allegedly, unions are not permitted to use the same exemption rules.

The proposal for the NRA to be exempted from the act was introduced by conservative pro-gun Democrat Heath Schuler. The exemption is for 10-year-old or older organizations that have more than one million members in all 50 states and that raise 15 percent or less of their funds from corporations. The language of this exemption can only favor the NRA and no other group, and is sure to anger smaller organizations.

The NRA's opposition to the bill proved to be a hindrance in its passage. Now, the NRA has pledged to uphold its end of the bargain.

Unfortunately for the Democratic lawmakers, the Disclose Act continues to face opposition from groups like the U.S. Chamber of Commerce and the National Right to Life Committee, and even liberal groups like the AFL-CIO and the Sierra Club, who insist that a few changes need to be made before they provide their support.

The business lobby has also pledged to lobby against the Disclose Act, and has implied that Democrats who vote in favor of the bill will determine how the group uses its campaign sources.

National Right to Life Commission's legislative director Douglas Johnson has asserted that the group's opposition to this bill will take precedence over their opposition to Supreme Court nominee Elena Kagan.

Likewise, the Disclose Act faces confrontations with the American Society of Association Executives, whose president John Graham has outlined several areas of the bill that is believed to violate First Amendment rights.

The Chamber of Commerce, alongside 100 trade associations addressed lawmakers in a May 27 letter asserting, "This legislation is a threat to the First Amendment rights of businesses across the country. It represents a significant departure from past campaign-finance legislation, which sought to treat unions and corporations comparably and was framed in a genuinely bipartisan manner."

According to the *Wall Street Journal*, "Cutting a special deal at the expense of the First Amendment with lawmakers who have decided for now to stop gutting the Second Amendment reveals an NRA that is unprincipled and will be weaker for it in the long run."



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