

NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
11250 WAPLES MILL ROAD
FAIRFAX, VIRGINIA 22030



NRA

Office of the Executive Director
CHRIS W. COX

April 21, 2009

The Honorable Susan Collins
Ranking Member
Senate Committee on Homeland Security
& Governmental Affairs
340 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Collins:

I am writing to express the NRA's serious concerns about the nomination of Cass R. Sunstein to head the Office of Information and Regulatory Affairs. This office has the authority and responsibility to insure that regulations adopted by the federal government meet statutory, and more importantly, constitutional muster.

For NRA members, there are a number of issues that create significant alarm. Throughout his writings, including his books, *The Second Bill of Rights*, *Radicals In Robes*, and *Republic.com 2.0*, as well as his many journal articles, Sunstein presents a philosophy that holds that because government is needed to protect our rights, government is in essence the source of those rights. This circular reasoning allows Sunstein to rationalize any level of government restriction on our liberties, and deny the concept of inherent rights that government should not infringe. These beliefs run completely contrary to those of our founding fathers, who believed that government had a responsibility to protect our inalienable rights *because* those rights are *not* granted by the state.

Prof. Sunstein has also written widely on another topic of great interest to NRA members: animal "rights." His writings on this subject are among the most extreme in the scholarly world. In an article entitled "Standing for Animals," he wrote:

Under existing law, this means (in my view unfortunately) that animals lack standing to sue in their own right, for Congress has restricted standing to "persons." But it also means that Congress can accord standing to animals if it chooses to do so.

Prof. Sunstein believes that animals should be granted the right to sue people in court. If this radical idea were adopted, animal "rights" radicals could help pets sue their owners, help cattle sue ranchers, and help deer sue hunters or game management officials. This could end ranching and livestock farming, and would certainly end hunting. In fact, Prof. Sunstein explicitly embraced this view, when he said in a 2007 speech that "we ought to ban hunting."

As the so-called "Regulatory Czar," Prof. Sunstein would be the gatekeeper for every regulation written by every department and agency in the federal government. In that role, Prof. Sunstein would be in a position to influence every facet of government regulation. This could include wildlife management regulations from the Departments of Agriculture and of the Interior, firearms commerce regulations proposed by the Bureau of Alcohol, Tobacco, Firearms and Explosives, and other regulations that affect law-abiding American gun owners and hunters.

In closing, these issues are of critical importance to tens of millions of American gun owners and sportsmen. As the Senate debates Prof. Sunstein's nomination to the office of "Regulatory Czar" in the coming weeks, we respectfully ask that you carefully consider his radical positions before casting your vote.

Sincerely,

A handwritten signature in black ink that reads "Chris W. Cox". The signature is written in a cursive, slightly slanted style.

Chris W. Cox
Executive Director, NRA-ILA

Cc: **Members of the Senate Committee on Homeland Security
& Governmental Affairs**

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Chairman
Senate Committee on Homeland Security
& Governmental Affairs
340 Dirksen Senate Office Building
Washington, D.C. 20510

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Executive Director, NRA-ILA

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