

00:00;19;23 - 00:00;36;26

Stephen Gutowski

All right. Welcome, ladies and gentlemen, to another episode of the Weekly Reload Podcast. I'm your host, Stephen Gutowski. I'm also CNN contributor and the founder of thereload.com, where you can head over today and sign up for our free weekly newsletter. If you want to keep up to date with what's going on with Guns in America. From a sober, serious perspective.

00:00;36;29 - 00:00;58;22

Stephen Gutowski

And of course, you can buy a membership if you want to help support our independent reporting and get access to exclusive pieces you won't find anywhere else. This week we are doing our first election reaction show. And to do that, I've brought on, my good friend and one of the best, smartest people in gun media, Cam Edwards of Bearing Arms.

00:00;58;26 - 00:01;14;15

Stephen Gutowski

And we're just going to do, you know, a preliminary reaction. We don't have the full results yet, but we have a pretty good picture where things are going to end up. It's kind of interesting. But before we get into that, welcome back to the show, cam. Thanks for coming on. Tell people a little bit about yourself.

00:01;14;15 - 00:01;18;07

Stephen Gutowski

But anyway, yeah, at this point, who doesn't know who you are?

00:01;18;09 - 00:01;34;19

Cam Edwards

Absolutely. Thanks for the invite, as always. I love, get a chance to come on the podcast. So, yeah, I'm the editor at Bearingarms.com, most of the Cam and Company podcast. Been doing this for about 20 years or so. So I think, I think I started covering the Second Amendment full time and in the 2004 election cycle.

00:01;34;19 - 00:01;44;19

Cam Edwards

So, yeah, I've seen a, a number of these elections and, this is a this is an interesting one. It's going to be interesting to see what happens over the next couple of years.

00:01;44;21 - 00:02;08;23

Stephen Gutowski

Yeah. You know, so again, preliminary results, we don't actually know the full makeup of government yet because it's honestly, it's probably going to take another week or two to get the absolute full results because some of these states will accept ballots that are postmarked by Election Day, but don't come in until like a week later. And that might matter in some of these races.

00:02;08;23 - 00:02;35;14

Stephen Gutowski

Some of them are going to get to recounts. In fact, one of the the sort of bellwether gun races, Jared Golden's reelection up in in Maine, looks like it's gone to a recount. He's ahead, but, that's probably going to be in a recount as well. So, you know, we don't we we're not going to have probably the full understanding of what exactly how many seats Republicans got in the House or the Senate.

00:02;35;14 - 00:02;58;18

Stephen Gutowski

It's right now, you know, it's clear it's clear that Trump won, right. That that much is pretty obvious. And he swept all the battleground states not by huge margins. He was closer there than in a lot of it. But the swing in most other states, towards Trump's. So, you know, it's interesting. It did still end up being fairly close, but it was something that where the

result was pretty clear by the end of election night.

00:02:58;20 - 00:03:25;16

Stephen Gutowski

And, and it's only going to be, you know, there's still millions of votes to count, but they're not going to change the outcome. Whereas, the Senate, you're going to have a Republican majority that once that's clear, the Republicans picked up the red state seats that they needed to from, the incumbent Democrats in Ohio and Montana, in West Virginia was an open seat, but that's obviously flipped as well.

00:03:25;19 - 00:03:47;14

Stephen Gutowski

And it looks like they're probably going to pick up Pennsylvania so that they get one of the battleground states, for sure. But maybe not any of the other ones, at least. But we still don't know for sure on three of these races, Nevada, Arizona, Pennsylvania. But it looks like Democrats are going to take Nevada and Arizona and Republicans take that swing.

00:03:47;14 - 00:04:12;01

Stephen Gutowski

And then the House right now, decision desk HQ, which I think is very reliable. They've called, I think like 216 Republican seats, are already called, but they're still haven't gotten quite to the majority yet. And they're projecting, a 1 or 2 seat pickup. Beyond what Republicans already held. So not really not much change at all.

00:04:12;04 - 00:04:39;12

Stephen Gutowski

But but they're holding. And the key takeaway is you're going to have a Republican trifecta in the federal government, but they're going to be with relatively thin margins in both the Senate and the House. So, that's setting the table with all the caveats, I think, that are appropriate. So let's get into what does that mean for gun policy?

00:04:39;14 - 00:04:58;05

Stephen Gutowski

I want to just start off with legislation work. What do you see the ability of, Republicans to do on guns through legislation in a Congress that they control, but only by thin margins?

00:04:58;07 - 00:05:21;28

Cam Edwards

Well, on paper, not much. Right. You know, if the filibuster stays intact in the Senate, which Mitch McConnell says it will, of course, he's not going to be the Senate majority leader. Right. But if the filibuster remains intact, let's say David Cormack is declared the winner. Ruben Gallego is the winner in Arizona. Jacky Rosen is the winner in Nevada.

00:05:21;28 - 00:06:00;08

Cam Edwards

You're looking at 53 Republican seats, right? So for any pro-gun legislation to pass, you need to get seven Democrat senators to sign on. So, that's that's going to be a chore, right? And I don't necessarily think it's possible, to get seven Democrats to sign on to program legislation. So, you know, I don't know that we're going to see anything, actually get to Trump's desk if the filibuster, you know, remains in place and, you know, over the House side, I think you will see things like, I think we've got a good shot at passing national right to carry reciprocity.

00:06:00;11 - 00:06:34;20

Cam Edwards

Pretty good shot, I think, at passing the hearing Protection Act. Although, you know, I'm not even sure about that. I've got a piece coming up this weekend that bearing arms looking at right now, Richard Hudson's, Right to Carry Reciprocity Act has 170 co-sponsors. So, you know, you're still 47 votes shy. Now, listen, you know, you don't have to co-sponsor a bill to vote for it, but that at least indicates that there are, you know, several dozen Republicans who are either on the fence or for whatever reason, haven't, you know, wholeheartedly embraced the idea of national right to carry reciprocity?

00;06;34;23 - 00;07;04;00

Cam Edwards

The Hearing Protection Act, I think, has 69 co-sponsors in addition to the, the original sponsor, Jeff, I think it's Jeff Duncan from South Carolina. So, again, you know, this is a it's going to be an upward fight, I think, for gun owners to get some of these priorities through Congress. And, you know, one of the other things that I'm kind of keen in on here is that even with Republicans in control, let's say we've got a Republican trifecta.

00;07;04;02 - 00;07;21;05

Cam Edwards

Gun owners are still going to have to lobby to be heard. Gun owners are still going to have to lobby to say, hey, pay attention to these issues here, right? I mean, you can go and you can look at the 2024 Republican platform, very light on, you know, gun issues.

00;07;21;07 - 00;07;21;12

Stephen Gutowski

Yeah.

00;07;21;12 - 00;07;30;02

Cam Edwards

They didn't talk a lot about gun issues on the campaign trail. Right. He said, I'm not going to he said he protect the Second Amendment. It didn't really advance a whole lot of pro-gun policies. Right.

00;07;30;05 - 00;07;39;20

Stephen Gutowski

So they stripped out, you know, specific policy, promises that had been in the previous, platform for the party. Right.

00;07;39;22 - 00;08;03;19

Cam Edwards

So I think the priorities for Republicans going in are going to be, you know, immigration, going to be the economy. You know, again, trying to fundamentally restructure, the executive branch and, you know, cabinet agencies and things of that nature. So, you know, I think we're gun owners and supporters are going to have to fight for a seat at the table, to be quite honest.

00;08;03;21 - 00;08;07;13

Cam Edwards

And otherwise, you know, we may very well get overlooked.

00;08;07;16 - 00;08;29;18

Stephen Gutowski

Yeah. I mean certainly legislatively I think that makes a lot of sense. I just don't it's going to be different. I mean, one, if the margin in the House really is 221 222, the majority, it's going to be hard to pass anything. I mean, we've seen how the House has gone with the 220 vote majority and they can.

00;08;29;18 - 00;08;57;11

Stephen Gutowski

Right. They can barely even pick a speaker. Maybe they'll maybe they'll skip that fight this time around. But they already have a speaker in place that that Trump likes. And the party seems to be relatively well adjusted to at this point. But, you know, passing any legislation, especially anything remotely controversial. And and the thing about the top priorities, top legislative priorities, the gun rights movement have been the two things you mentioned for forever.

00;08;57;18 - 00;09;21;23

Stephen Gutowski

Now, the, national reciprocity and hearing protection and, you know, national reciprocity, you're going to have

pushback from potentially Republicans in blue states, because essentially, what national reciprocity says is that those blue states have to honor everyone else's permits. And a lot of people in the blue states don't like that. I mean, more so on the Democratic side, obviously.

00:09:21;25 - 00:09:40;19

Stephen Gutowski

But you do wonder where some of those blue state Republicans in California and New York, especially in New Jersey, are going to come down on that. If they're all going to be okay with it now, maybe they will. Right. And I wouldn't be surprised if we do see a vote on that at some point, even if it's just kind of symbolic.

00:09:40;19 - 00:10:12;18

Stephen Gutowski

But, you know, same thing for Protection Act, you know, center reform, anything dealing with the NSA as much as that animates online gun rights activists, I don't think it animates a lot of Republican congressmen nearly as much. And you certainly have your heart. You're more hardcore conservative types that care deeply about that issue. But your average Republican congressman, I don't even know that they have any understanding what the NFA is to begin with.

00:10:12;21 - 00:10:35;13

Cam Edwards

Right. You know, and I mean, again, I think that's one of the challenges, right? That's why gun owners just can't take anything for granted. Now, even as the filibuster remains intact, you know, there will be some opportunities, I think, to do things through reconciliation, through budget bills. And that actually might be a way to, you know, remove suppressors from the NFA.

00:10:35;16 - 00:11:05;27

Cam Edwards

Which is a simple majority. But as you say, right. Then the issue becomes, okay, how do you get 51 Republican senators to, to say, okay, this is this is what we want to do here. This is something that I can explain to my constituents. How do you get 217 Republican, House members to say, this is the argument that I can take home to my district, in a blue state like California, right in, in a, an election or a district where maybe the Republicans won by just a few thousand votes.

00:11:06;00 - 00:11:21;08

Cam Edwards

And, you know, the Democrats are going to say, right, this Republican, the Republican ex wants to legalize silencers, right to, you know, make, killers and assassins operate, you know, in the shadows. I mean, we know what the argument against this is going to be, right? And we know they.

00:11:21;11 - 00:11:29;03

Stephen Gutowski

Don't have a good understanding of suppressors and silencers, and they get a lot of their views on it from from movies, even, you know, John and.

00:11:29;04 - 00:11:29;17

Cam Edwards

So.

00:11:29;17 - 00:11:42;21

Stephen Gutowski

Famously, like, yeah, a movie that people like the shooting style of John Wick. But even in that even those movie silencers are basically treated as magical, assassins. Right. You know, assistants. So it's it's it's a dedication.

00:11:42;21 - 00:11:58;05

Cam Edwards

That has to be done. Right? I mean, if you want this to become law, then then we have to educate the public on this, and we can't leave it up to the Republican Party to do that education. You can't leave it up to members of Congress to just explain to their constituents, we have to do that work. As gun owners and the Second Amendment advocates.

00;11;58;05 - 00;12;14;14

Cam Edwards

We have to put that argument out there and we have to be willing to have that discussion and that debate. Because there is obviously, you know, there is going to be push back to that. So I, you know, there's some opportunities there. I think it's also I mean, just to see what happens in Washington DC. Right.

00;12;14;18 - 00;12;40;29

Cam Edwards

There's a, I think, growing concern on the left and maybe in DC that, Congress is going to either, I get I don't think the votes are there to repeal the Home Rule Act. But that Congress is going to start exercising far more oversight over DC. Washingtonian had a article the other day, and one of the guys that they talked to was, I guess he was a former communications director for Vincent Gray, DC council member.

00;12;41;02 - 00;13;05;25

Cam Edwards

He was talking about how, you know, there's probably gonna be some horse trading going on, like Muriel Bowser, the mayor of DC, really wants to get federal approval to build a new stadium where RFK Stadium stands right now. And, I think the guy's name was across this, and he said, he could see, you know, Congress saying, okay, well, we need to make some changes to the gun laws in DC before we allow you to do something like that.

00;13;05;25 - 00;13;26;07

Cam Edwards

So, yeah, I mean, it is possible that, you know, even if you don't get national right to carry reciprocity, maybe you get universal recognition in DC, maybe, you know, that might be a demand that, Republicans put out there that if you want, if you want, you want us to allow this new stadium to be built. Well, we want to make sure that people don't lose their second rights when they come to our nation's capital.

00;13;26;07 - 00;13;35;14

Cam Edwards

Right. So, you know, I think there's going to be some interesting opportunities, but I think nothing is nothing is guaranteed right now.

00;13;35;16 - 00;13;58;15

Stephen Gutowski

Yeah. And that that last one be personally ironic for me because I've now got my DC license. I actually haven't carried in the city since I've, I've gotten it. But, just because like I don't go in there that often and where I go, you still can't carry anyway because there's a lot of, you know, restricted areas, gun free zones in DC, as you could probably imagine.

00;13;58;15 - 00;14;40;19

Stephen Gutowski

And they don't allow you to carry a metro. These are things that I do agree. Could potentially be changed under pressure from a Republican Congress, although we've had Republican Congresses before. We had a Trump led Republican Congress before, and they didn't get these things through. I do think that that that I agree with you as far as like budget reconciliation, putting things like the hearing Protection Act or national reciprocity or DC gun mall changes into larger deals where they're much smaller pieces of a larger piece of legislation, and those seem more like the realistic ways if, assuming things stay normal.

00;14;40;19 - 00;14;56;13

Stephen Gutowski

And I know I've talked about in the show before about sort of, it's hard to predict what Trump will do. And he said

things and so forth, and we're just sticking with what, based on how things have gone, how things could go in the future. Because once you get past that, you know, it's hard to predict anything.

00;14;56;15 - 00;15;20;06

Stephen Gutowski

But, you know, presumably this is where you could make deals. It's like in, in, in bills that don't require 60 votes. Budget reconciliation. That's more like, you know, messing with the ATF's budget or or something along those lines or putting, you know, your, your pet issue, the old paperclip method, putting it into a must pass bill.

00;15;20;08 - 00;15;47;29

Stephen Gutowski

That could happen. You know, those are the kind of realistic ways you could see a Republican Congress with them. Majorities actually do some gun reform. But, like you said, I think there are heavy lifts there, there. It's it's not, you know, with what Congress seems like it's going to be, again, a slim majority. You know, 53 is not bad in the Senate, as in recent years.

00;15;47;29 - 00;16;16;26

Stephen Gutowski

That's, you know, you have to go back to the first about administration to get a period where either party had 60 votes or 60 seats. But, you know, it's still going to be a hard lift on anything, let alone, gun. Now, I will say, one of, you know, we've talked about the filibuster here, and I do think if you get to 54, 55, that's where the odds of eliminating the filibuster go up.

00;16;16;26 - 00;16;37;23

Stephen Gutowski

The more Republican seats there are. I think that's the real it. That's my view. I think that's the reality. Like Trump has called for it in the past, in 2018, he wanted to, to get rid of it. And, you know, Democrats have threatened to do the same thing, which gives Republicans perhaps more incentive. They might also be more inclined to listen to Trump now that he's won again and won the popular vote.

00;16;37;23 - 00;16;41;26

Stephen Gutowski

Likely this time. I don't know exactly what do you I.

00;16;41;28 - 00;17;06;18

Cam Edwards

I think you still have, too many, establishment areas, I guess, for the lack of a better word, you know, murkowski going along with nuking the filibuster, I don't see Susan Collins going along and moving the filibuster. Right. I would be surprised if John Cornyn, were to do that, or even John Thune. So I don't know that the votes are there.

00;17;06;21 - 00;17;21;12

Cam Edwards

I think there's going to be a, you know, a push for that. I think Trump is going to push for that. Right? Because he's going to see it's going to be harder to get his agenda enacted, with the filibuster in place. But I don't know. I don't know that he's going to be able to get every Republican to to go along with that.

00;17;21;12 - 00;17;43;21

Cam Edwards

So, you know, I'm just operating on the assumption that the filibuster is going to remain in place. Because I don't know that there's going to be enough arms to twist, to, to, to get it removed. And, you know, personally, I don't think it should, be removed. I, I like that safeguard. The Senate is supposed to be the chamber that, you know, sort of cools the passions of the house.

00;17;43;24 - 00;18;06;22

Cam Edwards

It's not necessarily supposed to be easy to pass legislation. And so even if it means, you know, I don't get what I want legislatively, I think it's an important guardrail to keep in place. And again, I mean, you're right, though, Democrats said, well, word read, I think, I think almost every Democratic Senate candidate said that they were in favor of nuking the filibuster.

00;18;06;24 - 00;18;26;08

Cam Edwards

And that's for me. One of the problems right now, I think we need to see some de-escalate Asian, on the part of the left. And I think, you know, while the Democrats are doing some soul searching, maybe that's something that they could, you know, navel gaze and take a look at, though. Okay. Did it hurt us when we said we were going to pack the Supreme Court?

00;18;26;08 - 00;18;46;20

Cam Edwards

Did it hurt us when we said we were going to nuke the filibuster? Because there's all this talk about, you know, Trump destroying norms. You could make the argument that Democrats were just as willing to destroy those norms as they were just doing it in a way that was acceptable to the mainstream media, that was acceptable to the, you know, the, academic establishment or the, political establishment on the left.

00;18;46;22 - 00;18;57;18

Cam Edwards

And again, I think if the Democrats are willing to take a step back from the edge, they'll probably find some Republicans who are willing to go along with them on that.

00;18;57;20 - 00;19;14;11

Stephen Gutowski

Yeah. I mean, you know, I think we are of a similar viewpoint on this stuff. I agree with a lot of what you just said there personally. And, and, you know, you can Democrats didn't nuke the filibuster when they had the opportunity, but that was mainly because they just didn't have the votes for it.

00;19;14;13 - 00;19;22;09

Cam Edwards

Right. I mean, Mansion and Cinemas said they weren't going to do it. And so again, he didn't have the 51. And I think, you know, colleges are going to serve that same sort of purpose.

00;19;22;10 - 00;19;46;13

Stephen Gutowski

Yeah, maybe. And that's the thing about the Senate is like like you said, it is kind of a like moderating force in our national politics. And they these senators do seem to buck their parties sometimes on these sorts of institutional questions like, should we drastically change how the Senate works, which is what would happen if you nuke the filibuster?

00;19;46;15 - 00;20;16;06

Stephen Gutowski

But yeah, but I do still think the the larger the Republican majority is, the more likely it becomes just like the other way the larger a Democratic majority. You know, Democrat trifecta, the more likely it becomes that that the filibuster goes away or is reformed in some way. I think Trump, when he proposed it, it was there's been talk about going back to a literal talking to a muster like, and, Mr. Smith goes to Washington, which is stunning.

00;20;16;06 - 00;20;34;19

Stephen Gutowski

Become a very dated reference, I think, in 2020. Right. But, you know, the people who are in the Senate and who have become president, that's what they grew up watching. And it is American classic, to be fair, but but yeah. So I, you

know, I just, that's the kind of the one area that changed with the outcome.

00;20;34;24 - 00;20;52;04

Stephen Gutowski

Although, again, it does feel like we're maybe going to get to 53 and not 55. So, you know, you're still certainly murkowski and Collins. I don't I think it'd be very hard to get them on board. And I'm sure there's at least 1 or 2 more Republican senators who probably wouldn't go.

00;20;52;04 - 00;21;09;07

Cam Edwards

Well, I mean, McConnell is going to be there, right? He's not retiring. Right away. He's just not running for reelection. So, you know, McConnell would be there. I think Grassley as an institutional as like I said, I think John Cornyn, I just I don't think they've got 51 votes to, to get rid of the filibuster rule.

00;21;09;09 - 00;21;32;26

Stephen Gutowski

I just, I think, I think that's accurate. So with that in mind and where the legislative angle seems to be at now that we have some pretty good idea of what the makeup of the government is going to be, let's move on to where, you know, we we think the most likely, big movements can happen on gun policy in a Trump administration.

00;21;33;02 - 00;21;49;16

Stephen Gutowski

And I would imagine, first off, judicial appointments, which is another area where the Senate majority will matter to some degree, although I think Republicans are probably a little bit less divided on that. You know, the kinds of judges that Trump, at least in his first term, was appointing. Right?

00;21;49;19 - 00;22;10;11

Cam Edwards

Yeah, I think that's that's accurate. And, you know, it's interesting. I mean, I've seen this since the election. There has been this push on the left to get try to pressure Sonia Sotomayor to step down. Right. Yeah. To not pull a Ruth Bader Ginsburg and stick around and then give Trump an opportunity to, to, you know, appoint her replacement.

00;22;10;14 - 00;22;15;13

Cam Edwards

I, I kind of, I don't I don't think it's going to happen. I don't think she's going to step down. I don't.

00;22;15;15 - 00;22;16;00

Stephen Gutowski

Know that that.

00;22;16;07 - 00;22;32;24

Cam Edwards

And then, of course, the the latest theory was that Joe Biden should appoint Kamala Harris. Yeah. Which I really don't see happening. Right. In fact, I don't think there's any guarantee that if Sotomayor did step down, Democrats could get a replacement confirmed. They might end up just giving Trump the opportunity to appoint somebody on day one.

00;22;32;24 - 00;22;34;25

Stephen Gutowski

It'd be a huge risk. Yeah.

00;22;34;27 - 00;22;53;06

Cam Edwards

Yeah. But you know, you're right. And it's not just Supreme Court nominees, right? I mean, there is going to be I think that same push on the right maybe not right away. But listen, two years from now, maybe before the 26 elections, you'll



start hearing more people talk about, okay, Clarence Thomas, you've done a great job for us.

00;22;53;09 - 00;23;01;05

Cam Edwards

But it's probably time for you to, to go back to your RV and drive around the country and enjoy yourself. Right. Sam Alito, same thing.

00;23;01;07 - 00;23;05;09

Stephen Gutowski

Yeah, I've seen actually also a little bit of chatter on that front already.

00;23;05;11 - 00;23;07;11

Cam Edwards

Yeah. There has been a little bit.

00;23;07;13 - 00;23;40;08

Stephen Gutowski

Leonard Lee of the, the who, who's the head of the Federal society very, important figure in as far as, the conservative judicial movement in the United States has already come out and, like, chastised some people for, for going there already. You know, but I think it's probably it's hard to imagine that somebody like Thomas and Alito, who, especially Alito, just frankly, that I think they, everyone on the Supreme Court is very aware of the ideological balance in the Supreme Court.

00;23;40;08 - 00;24;00;23

Stephen Gutowski

But those guys, I think, are not willing to stick it out and risk, changing that balance. So, and they don't I don't think they're they seem fairly favorable to Donald Trump. So I don't think they'd be unhappy with him or like Roberts, I don't know what Roberts thinks about Donald Trump necessarily, and whether he wants them to replace him or whatever.

00;24;00;23 - 00;24;07;06

Stephen Gutowski

But I think those two guys who are the oldest, and he probably willing to step down and be replaced.

00;24;07;08 - 00;24;14;21

Cam Edwards

Yeah. I don't think Roberts feels like it's time for him to go. He's not Roberts anywhere. Like he could probably do that job for, you know, quite a while. Yeah.

00;24;14;24 - 00;24;20;09

Stephen Gutowski

Instead of my third oldest, I think. Yeah. Just why there's chatter about her right now.

00;24;20;16 - 00;24;34;08

Cam Edwards

She's 70, and, you know, she's apparently not in great health. She, I guess, travels with a team of medical professionals. So, and then again, you know, Democrats, I think I PTSD over Ruth Bader Ginsburg. She, you know, so.

00;24;34;14 - 00;24;34;29

Stephen Gutowski

Just like her.

00;24;35;00 - 00;24;38;00

Cam Edwards

I can understand why Scalia.

00;24;38;02 - 00;24;44;27

Stephen Gutowski

Right. That worked out. Exactly. But it but it wasn't, when that when he passed away, everyone was very concerned.

00;24;44;29 - 00;25;03;13

Cam Edwards

Yeah, but then you look at those lower court judges, too. I mean, that's hugely important, right? Trump appointed 230 some odd, judges. I think Biden is appointed like 211. And that's the other thing that the Democrats are saying, you know, just Biden just needs to do nothing but appoint judges between, you know, now in the time he steps down that way.

00;25;03;19 - 00;25;25;24

Cam Edwards

So we did see, you know, ideological balance on the Ninth Circuit, for instance, for the first time in decades, I mean, the Ninth Circuit went more than 50 cases where they upheld gun control laws. Right? They had a, the Gun Rights Act was had a losing streak of, you know, more than 50 lawsuits where the Ninth Circuit said that gun laws find that gun laws, find that gun laws.

00;25;25;24 - 00;25;48;04

Cam Edwards

Fine. And over the last couple of years of the Trump administration and even during some of the Biden administration, because of Trump's appointments, we started to see three judge panels, on the Ninth Circuit, say, this gun law. No, this violates the Second Amendment. They didn't have those on bonk reviews that would overturn those decisions. I think we actually did get a good decision in the Boland case.

00;25;48;04 - 00;26;11;13

Cam Edwards

Right. The case dealing with California's handgun roster got a good decision from the three judge panel in the ninth Circuit. Did not take that case on bonk. So that is, I think, a significant win for gun owners. Right. But that's going to be a huge part, I think, of Trump's second term is, again, shaping the judiciary, not just at the Supreme Court level, but at the district court level and at the appellate court level, too.

00;26;11;15 - 00;26;34;17

Stephen Gutowski

Yeah, I just think that's probably the the biggest thing. And it's I mean, that's the it from a from a gun rights point of view, that's the brightest part of his first term record for easily. Yeah. Will probably be the brightest part of his second term record unless he radically changes the his point of view on who is picking the, you know, put up for judges.

00;26;34;17 - 00;26;37;20

Stephen Gutowski

But he's, you know, there's no sign that he's going to do that.

00;26;37;23 - 00;26;58;11

Cam Edwards

And I think it's even I mean, I think part of it is it's just it has the longest lasting impact. Right. You know, I expect that Trump is going to undo Biden's executive actions. Right. If Trump, you know, fires Steve Darrell Bock as ATF director, replace him with somebody else the next time a Democrat comes in, Trump's appointment is going to get fired.

00;26;58;11 - 00;27;12;11

Cam Edwards

Right? So but these judges are going to be there, you know, a lot of cases 20, 30 years or more. So I think just by the very nature of the longevity of those decisions, that makes his judicial appointments the most important thing that he can do.

00;27;12;18 - 00;27;33;09

Stephen Gutowski

And that's what makes the Republican majority in the Senate, whatever ends up the number, ends up being also much more important on this front as well, because this is and this is another reason why it's less likely as much as Trump is a wildcard. And we'll get into some of that, you know Trump wild card. His nature on this front is perhaps you know that here.

00;27;33;09 - 00;28;02;09

Stephen Gutowski

But this is one area where despite the divisions on the right that have existed since Trump, you know, came up there, obviously much less so now they're just your anti-Trump people on the right than there than there were in 2016 or throughout his first term. But even those who who are more Trump skeptical, this was an area where I think most people, on the political right in the United States, where we're pretty happy and it went pretty smoothly getting those judges through.

00;28;02;09 - 00;28;28;05

Stephen Gutowski

It wasn't something where you had a lot of friction with even the the Trump skeptical Republican senators that existed. You know, this is just something where there isn't any sort of great reason for him to reverse course on how he's handled appointing judges. He's largely left it to, you know, the Federalist Society and, and, Leonard Leo and people who, have dedicated their lives to that sort of thing.

00;28;28;05 - 00;28;46;05

Stephen Gutowski

And and that's made I think everybody, for the most part, in the Republican Party pretty happy. So I kind of would expect that to continue, right? I mean, just it'll be the most consequential and probably the most likely to be closest to what he did the first term as well.

00;28;46;08 - 00;28;47;17

Cam Edwards

Yeah, I agree with that.

00;28;47;20 - 00;29;06;27

Stephen Gutowski

So, speaking of the executive action stuff, though, and this is the other area where there could be there's the potential for a lot more impact. And I think this is also one where you maybe question how far it's going to go. But as you mentioned, he can fire the ATF director. Biden kind of politicized that position, right?

00;29;06;27 - 00;29;08;19

Stephen Gutowski

I mean, just to be.

00;29;08;21 - 00;29;09;12

Cam Edwards

Very much so.

00;29;09;12 - 00;29;34;04

Stephen Gutowski

Just yeah, I mean, just to be objective about like he tried to appoint Chipman, who was literally a gun control, group spokesperson at the time. He had been an ATF agent before that. That didn't go through. But even Darrell Bock, the current director, was a somebody who ran as a Democrat for attorney general of Ohio, while he also, you know, he was in the U.S. attorney as well.

00;29;34;04 - 00;30;02;06

Stephen Gutowski

But he was he was somebody who took, strong gun control positions during his political phase and didn't come from the ATF or anything like that. So it's he definitely opened the door to more politicization of that position than perhaps he previously been. And Trump has already promised, as much as he hasn't talked a lot of detail on policy, he did early on in the campaign when he spoke, the NRA promised to fire.

00;30;02;09 - 00;30;19;15

Stephen Gutowski

That'll back on day one. I don't know if it'll be exactly day one, but it'll probably happen early on. And then he's going to have an opportunity to and then, of course, in addition to that, he also promised to basically undo all of the executive orders and federal rulemaking that Biden has put in place during his administration.

00;30;19;15 - 00;30;47;24

Stephen Gutowski

And those are things where he certainly has the power to do all that. Right. And he certainly has the power to then appoint his own ATF director. And try to make his own rules. But I guess this is where I start to wonder how much of that he'll actually do. Because if you look back to the first administration, he tried to appoint a, permanent director of the ATF, but that nominee got torpedoed by his own party.

00;30;47;24 - 00;31;14;01

Stephen Gutowski

But Ted Cruz, actually was the one who who was, strongly questioning him during his confirmation hearing, and he didn't get through, and then he left, basically acting directors to run the agency during that time. And additionally with, with rulemaking, he I mean, his biggest rule was, was bump stock ban, which got shut down later as unlawful by the Supreme Court.

00;31;14;01 - 00;31;21;10

Stephen Gutowski

But, you know, I don't know what do you what do you see for this second administration?

00;31;21;13 - 00;31;33;10

Cam Edwards

Well, so I think you will see him undo the Biden executive actions. Yeah. Because that is pretty easy to do. Right. And in the waning days of the Trump administration.

00;31;33;10 - 00;31;51;08

Stephen Gutowski

Do you think that'll require like, additional rulemaking? Because there's all that stuff went through the rulemaking process, which takes like a year at least. Is that do you know? Yeah, I'm not sure how that if that's going to take a year to undo through rulemaking or if there's some other way he can get out of it. We haven't.

00;31;51;08 - 00;32;11;24

Cam Edwards

Done. So, I, I'm, I'm guessing even if there is a formal rulemaking process that has to be done to rescind these things that are that have gone through that process and are in place. I'm pretty sure that, you know, Trump can direct the, whoever the ATF director is or whoever the attorney general is and say, listen, we're not going to make this a priority, right?

00;32;11;24 - 00;32;33;20

Cam Edwards

We're not going to, actively enforce these particular provisions. Right. And the DOJ could issue guidance, for example, on like, the engaged in the business rule and they could go back and say, you know, listen, the language of the statute says you have to repetitively buy and sell firearms. So we're not going to use this interpretation.

00:32;33;20 - 00:32;53;15

Cam Edwards

We're going to go by the, you know, text of the statute. I think they're there probably ways to to game that out. Right. One of the things I, I'm interested to see and again, I hope it's a day one decision is, closing the white House Office of Gun Violence Prevention, which has become the sort of jobs program for the gun control lobby, that you want to say positive.

00:32;53;16 - 00:33;00;17

Stephen Gutowski

Instead of, like, instead of, I don't know, reshaped in some other way. You think it just I mean.

00:33;00;19 - 00:33;32;12

Cam Edwards

I don't think I mean, it was. So I would like to see it maybe, replaced with something, and I wouldn't call it the white House Office of Gun Violence Prevention. Maybe if it's the, you know, white House Office of, Violence Prevention. Maybe it's the white House Office of Responsible to promote responsible gun ownership or something like that, but, you know, with a focus on reducing violent crime, reducing suicide, but not reducing lawful gun ownership, not trying to reduce violent crime or suicide by going after lawful gun owners.

00:33;32;15 - 00:34;02;22

Cam Edwards

That's something that I think, you know, Trump could do pretty easily. There was a rule that he started to put in place in the, in the waning days of his administration that was based on, I think it was a response operation Choke Point, which was, you know, the, FDIC basically going after, disfavored banks and telling them, hey, if you're doing business, you know, with gun companies or in these areas, you're opening yourself up to all sorts of institutional risks.

00:34;02;22 - 00:34;24;08

Cam Edwards

And, we might go in into your, you know, to your books and see what's going on. Right. That I think could be, revised and revived and we could see that rule put back in place. As we're talking, by the way, Stephen, I think, judge McGlynn has issued his decision in the Illinois, cases, so.

00:34;24;10 - 00:34;42;23

Cam Edwards

Oh, really? And has issued a permanent injunction and joining the state from, enforcing the, Protect Illinois Communities Act criminal penalties against Illinois citizens. So there is that a little bit of, breaking news for you and I. I know it will be breaking news by the time the podcast goes up, but, yeah. Yeah.

00:34;42;24 - 00:34;59;09

Stephen Gutowski

So, I mean, and that's, that's another area, but I guess, you know, the as far as the rules go, I guess the the broader question, that I'm interested in is at least at the moment. Right. Because it's hard to game these things out before we know who's even going to be in the administration and stuff like that.

00:34;59;11 - 00:35;28;24

Stephen Gutowski

But you know, the first time around, he didn't, other than the very end with the rule that didn't and go into effect that you're talking about here. You know, there wasn't a lot of, movement to try and play in the, gray areas of federal gun law in, sort of a pro-gun, direction. You know, Biden went very aggressively in to trying to use the gray areas, to enact more restrictions.

00:35;28;26 - 00:35;45;06

Stephen Gutowski

In theory, Trump could do the opposite of that. I know, but he hasn't. He didn't really promise that. He's just kind of more. The vibe to me is he's always kind of been I'm going to not do more gun control, aren't you? Right. That's that's kind of. Yes. Big problems they're going to do. They're going to take your guns.

00:35:45:06 - 00:35:55:01

Stephen Gutowski

I'm going to not let them do that. And then, not a lot of detail about beyond that. And I just wonder how that plays out.

00:35:55:03 - 00:36:19:18

Cam Edwards

Well, I do do it. I think it is an open question. But, you know, I think JD Vance is a, individual who is he understands the importance of the Second Amendment. You know, he's talked about that quite a bit even before he was named the, vice presidential candidate. Right. And so, you know, Kamala Harris was sort of, you know, gun control was was basically her portfolio to write to is ostensibly in charge of the white House Office of Gun Violence Prevention.

00:36:19:18 - 00:36:44:07

Cam Edwards

So a Vance serves that same role, but in a Pro-second amendment, perspective, then, you know, maybe you will have a more active executive branch that is willing to take a a go on offense. Right. And maybe interpret ATF regulations, in a way that, that benefits gun owners as opposed to a penalizes gun owners. But I think it is an open question.

00:36:44:07 - 00:37:12:13

Cam Edwards

Right? I think, you know, we just don't know what the second, term of, Trump's presidency is going to look like. Right? And how he's going to govern, how much delegation he's going to, to do to cabinet secretaries or to the vice president. But again, I, I I suspect that there's some room for him to operate, within the executive branch, not just undoing what happened over the last four years, but actually, you know, moving forward a little bit.

00:37:12:13 - 00:37:51:22

Stephen Gutowski

Yeah. I mean, I think there's a lot of room if you had the right people in there. The question is, do they take a more aggressive ideological approach like Biden did with, with his administration on like, you know, federal law, law enforcement? In regards to, to firearms, or do they go back to the first term approach of kind of, you know, letting active acting directors focus on letting law enforcement people who've been in the ATF forever, kind of, you know, run the show and not make a lot of noise one way or the other.

00:37:51:25 - 00:38:23:04

Stephen Gutowski

And just go back to sort of, business as normal pre 2020. That's what I would wonder. And you're right, like Vance, it's a good example if he, if he takes an active role, with his, his point of view, or at least how he's articulated, since becoming a politician, you know, he is much more in the, I want to do things actively do things for the gun rights movement, rather than, just the more shield nature of how Trump presents, his views.

00:38:23:04 - 00:38:43:18

Stephen Gutowski

So, and I guess that's what we'll, we'll have to find out. Like, we'll have to see what they who they stack the administration with, who they perhaps try to replace. They'll back if they even do file fired. I mean, the thing about Trump is he is a wildcard. We don't he says stuff. He doesn't always do everything he says or do it in the way that he says.

00:38:43:18 - 00:39:06:27

Stephen Gutowski

And and sometimes he can, you know, reconcile with people that he's previously fighting with. It's not he has, of course, fired, top ranking federal law enforcement. He fired Comey, obviously. Yeah. The FBI, it's not something he is couldn't

do or might not do, but it's just hard to be.

00:39:06;27 - 00:39:16;09

Cam Edwards

Really surprised if he kept data back on, to be honest. I mean, not only has he publicly said that he would fire Darrell Bock, but I don't think I don't think he wants any holdovers from the Biden administration.

00:39:16;10 - 00:39:17;16

Stephen Gutowski

Yeah, he doesn't.

00:39:17;16 - 00:39:18;07

Cam Edwards

Want a.

00:39:18;09 - 00:39:46;01

Stephen Gutowski

Biden administration and anything, you know, associated with it. The vibe that I get right from from how he talks about it. And so I wouldn't be surprised if he follows through and gets rid of basically everything they did on guns, including appointing Darrell Bock. But I the then the key questions like what comes after that? Will will there be a follow up that that, pushes things the other way or is it just going to be go back to how it was before Biden?

00:39:46;01 - 00:40:25;02

Stephen Gutowski

And, I'm kind of not paying attention to this area very much. And then I guess the last wild card thing, I guess, is, that that I mentioned in my piece and I'd be interested in your reaction to is, one, one under discussed or appreciated aspect of, of Donald Trump's first term on guns is, at least among gun rights activists, tends to be, his willingness to, or openness to crafting some sort of gun deal with Democrats in the immediate aftermath of major mass shootings.

00:40:25;04 - 00:40:47;01

Stephen Gutowski

We saw reporting that, you know, Paso after the El Paso shooting that he had considered backing in a solvents ban, but was ultimately talked out of doing that. And then, of course, after parkland, he made the infamous comments of take the guns first due process. Second, in a roundtable meeting with lawmakers, where he was very much more aligned with the Democrats than the Republicans in the room.

00:40:47;04 - 00:41:13;03

Stephen Gutowski

Now, that also didn't come to fruition. And the reason that didn't come to fruition may be a reason to think that kind of stuff might not happen this time around, which is that the first impeachment happened right after shortly after that meeting. And so legislation, this bipartisan deal never materialized. And I don't know if he's going to be willing to do any of that kind of stuff with Democrats this time around, given how much their relationship has soured since.

00:41:13;03 - 00:41:18;03

Stephen Gutowski

Since then, I mean, it's hard to predict what it's going to be like, but I'm interested in your thoughts.

00:41:18;06 - 00:41:41;17

Cam Edwards

Yeah, I think that you're right. I mean, not only has is the relationship going to be much more combative, this time around, but, you know, Trump is a one and done president at this point, right? He comes in, he can't run for reelection again. So yeah, he doesn't necessarily have to worry about triangulating. And, you know, what's this going to mean for my reelection bid?

00:41;41;20 - 00:42;01;17

Cam Edwards

So I suspect that he's going to be less likely, to, to try to even, you know, float out those ideas. I mean, I do think he he likes to be a dealmaker, right? Yeah. He does like to make those deals. We have seen on issues like abortion that he's willing to buck with the Republican establishment and say, you know what?

00:42;01;18 - 00:42;20;11

Cam Edwards

Let's leave it up to the states. I'm not in favor of a total abortion ban. Of course, he's one of the justices that, you know, gave us the Dobbs decision. Right? So, but he is not at least gone as far as some Republicans would like to see him go on, on abortion in the pro-life issues.

00:42;20;13 - 00:42;47;21

Cam Edwards

So it's possible that, you know, at some point over the next four years, he says, you know, he decides, okay, I want to make some sort of a grand bargain. And, I just, I, I don't think that there's going to be a majority of Republicans who are willing to go along with that. That's what I suspect, that, is cabinet officials, we don't know who they're going to be, but I suspect that they also would be, inclined to try to talk him down.

00:42;47;23 - 00:43;07;22

Cam Edwards

And then, of course, you know, you're going to have I hope that you're going to have a seat at the table for Second Amendment organizations who would, you know, be able to at least, you know, whisper into his ear and say, hey, this is not the right move if you want to help Republicans going forward. So, it's it's it's not a huge concern of mine.

00:43;07;24 - 00:43;32;24

Stephen Gutowski

Yeah. Look, I, I don't think it's, extremely likely outcome. I just think it's a bit of an underrated one because the potential for Donald Trump to move Republicans, I think, is much greater than, say, if you had a Harris administration and a Republican Congress. Now, yes, the counter to that is that Biden did pass a gun control bill with with his substantial Republican, support.

00:43;32;24 - 00:43;56;09

Stephen Gutowski

But it was a much more modest package than like, the red flag. Proposal that that Trump had verbally backed at least, during my my thought is just with the influence that Donald Trump has on the Republican Party. And also, like you bring up the Second Amendment groups and their influence now, you know, looking around, it's the NRA.

00:43;56;09 - 00:44;22;04

Stephen Gutowski

Sure seems like it has much less influence over him than it did the first time. It's there just isn't that same sort of relationship. He canceled their their event together in the last week of the election. You know, they're just not they're not in the same standing that they were in the first Trump administration. So those are the things that so here's here's the under considered perhaps downside that might materialize.

00:44;22;04 - 00:44;47;19

Stephen Gutowski

But again like you said, not necessarily something that is the most likely outcome. It's just something that comes to mind for me that I that doesn't hasn't really been discussed much. And you know, because I think the likelihood of pro-gun legislation certainly is higher under, Republican trifecta, even with the filibuster than under divided government with Harris as president.

00:44;47;22 - 00:45;09;22

Stephen Gutowski



But I also do think there's a slightly more, there's slightly more potential for, some sort of gun control legislation in that set up as well, because, Republicans are more likely to go along with Trump than, than Harris on, on something like that. And, you know, you know, it had to be a very specific moment. Like like parkland was.

00:45:09;22 - 00:45:30;02

Stephen Gutowski

But, just a thought. These are all early thoughts, right? We were just giving you the the preliminary reactions here. But that was one of the one of the ones that came to mind for me. So I think, I don't know, I think we've covered everything. Is there anything else that you're you're looking at this trifecta of this, the the margins that exist?

00:45:30;04 - 00:45:34;26

Stephen Gutowski

And as far as gun policy goes that you're, you're seeing.

00:45:34;28 - 00:46:00;05

Cam Edwards

You know, the the only other thing that I would mention is DOJ, right. Merrick Garland and, the Department of Justice is taking this very, unlimited position when it comes to, like, prohibited persons. Right. And basically, you know, their attitude is if you are convicted of a serious crime, however, Congress defines serious crime, you lose your second rights forever.

00:46:00;07 - 00:46:25;29

Cam Edwards

I will, we see, you know, the next attorney general, continue to follow that line of thinking and to say someone like Brian Range, who is convicted of a nonviolent misdemeanor, I've been pled guilty to a nonviolent misdemeanor. 30 years ago, someone like him should be deprived of their second rights. Patrick Darnell Daniels, who got 46 months in federal prison because he admitted to smoking marijuana 14 times a month while he owned a gun.

00:46:26;01 - 00:46:47;19

Cam Edwards

Will those be the types of, you know, statutes that the Trump administration continues to defend? Or will we see, you know, Trump's attorney general take this position of, okay, no, we need to have dangerousness, as the standard. Right. Hey, we shouldn't just have a blanket rule, considering Trump was convicted of 34 felonies. As I have been sentenced.

00:46:47;19 - 00:47:07;13

Cam Edwards

So he is not yet a prohibited person. But, you know, that might give Trump a little bit of, unique perspective, into this issue. Right. So I think that's the only other area there is how DOJ will enforce some of these laws that are on the books and what arguments they'll use, when these laws are challenged in court.

00:47:07;16 - 00:47:28;08

Stephen Gutowski

Yeah, I actually, I, I think that's a really good insight. On two points, one actually, he is already approved as a person even though he's been sentenced. But but, maybe that gives him, like you said, a different point of view on our federal government because he's been impacted directly by them, in ways that he clearly believes are very unfair.

00:47:28;08 - 00:48:04;21

Stephen Gutowski

And so, I don't know if that maybe that will extend to how he wants his DOJ to, argue these cases that they're, in theory, obliged to defend. But in practice, they don't necessarily have to make they certainly don't have to make the same arguments that Biden's DOJ has made because, yeah, he you're alluding to the argument they made in, in, the Raheem case, which was that basically you have to be responsible for and that, Congress can kind of make any crime that they want, indicate that you're not responsible.

00:48:04;21 - 00:48:26;28

Stephen Gutowski

And so maybe the Trump DOJ, with whoever becomes the attorney general, will have a much more pro-gun view of things. And, and they'll have a different position on these, these dangerous cases that we're looking at, like, like you mentioned the range and Daniels. And I think that's a very good point. And I do wonder how that all how that will shake things out.

00:48:26;28 - 00:48:40;11

Stephen Gutowski

You got a good piece on this. And you mentioned, of course, that even if the DOJ does, that doesn't necessarily mean those cases go away. They're they can still be defended by other outside groups. Right. But yeah, but it would be a significant shift, right?

00:48:40;13 - 00:48:44;26

Cam Edwards

Yeah, absolutely. So buckle up. It's going to be an interesting four years.

00:48:44;28 - 00:49:08;03

Stephen Gutowski

It's that that I think is everyone can agree. It's going to be I don't know what's going to happen. We'll all find out together. But on this one, I think we at least gave some people some, some good insight on what's likely on gun policy, which is that's our job, right? For both. Speaking of which, people want to read more of your work on this front.

00:49:08;05 - 00:49:10;00

Stephen Gutowski

Where can they do that?

00:49:10;02 - 00:49:26;22

Cam Edwards

Just go to bearingarms.com. That's where I'll be headed as soon as we get done here, because I've got to do my write up on, Judge Maclean's decision about the, gun and magazine ban in Illinois in fact, I need to go read that decision, but, yeah. Bearing arms.com. You can find cam and company there. And of course, all of our second movement reporting.

00:49:26;22 - 00:49:34;03

Cam Edwards

And, Stephen got to have you back on Cam and Company here in the very near future. But thank you again for the invite. I always love coming on the podcast.

00:49:34;05 - 00:49:53;25

Stephen Gutowski

Yeah, always love having you. Appreciate your insights. And I think our audience appreciates them as well. So that's all we've got for this episode. I'm going to toss it over myself for our last, Dispatch ad swap. So enjoy it and make sure you take advantage of the discount code while you still can. But, that's all I got for you this week.