

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE DISTRICT OF COLUMBIA  
3 - - - - - X  
4 SENATOR MITCH McCONNELL,           :  
5 et al.,                                   :  
6                   Plaintiffs,           : Civil Action No.  
7                   vs.                           : 02-0582  
8 FEDERAL ELECTION COMMISSION,   :  
9 et al.,                                   :  
10                   Defendants.                   :  
11 - - - - - X

12  
13                   DEPOSITION OF PLAINTIFFS, NATIONAL RIFLE  
14                   ASSOCIATION OF AMERICA AND NATIONAL RIFLE  
15                   ASSOCIATION POLITICAL VICTORY FUND BY  
16                   WAYNE LaPIERRE  
17  
18   Washington, DC  
19   Tuesday, September 3, 2002  
20  
21 REPORTED BY:  
22                   VICKY STALLSWORTH

□

LaPierre Dep

1 Deposition of PLAINTIFFS, NATIONAL RIFLE ASSOCIATION  
2 OF AMERICA AND NATIONAL RIFLE ASSOCIATION POLITICAL  
3 VICTORY FUND BY WAYNE LaPIERRE, called for  
4 examination pursuant to notice of deposition, on  
5 Tuesday, September 3, 2002, in Washington, DC, at  
6 the law offices of Wilmer, Cutler & Pickering, 2455  
7 M Street, NW, beginning at 9:06 a.m., before VICKY  
8 J. STALLSWORTH, RPR, CRR, a Notary Public within and  
9 for the District of Columbia, when were present on  
10 behalf of the respective parties:

11

12 CHARLES J. COOPER, ESQ.

13 Cooper & Kirk

14 1500 K Street, NW, Suite 200

15 Washington, DC 20005

16 (202) 220-9660

17 On behalf of the National Rifle

18 Association

19

20

21

--continued--

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3

1 APPEARANCES (CONTINUED):

2

3 DAVID H. THOMPSON, ESQ.  
Page 2

LaPierre Dep

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6 Washington, DC 20005  
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8 On behalf of the National Rifle Association

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11 Foley & Lardner  
12 Washington Harbour  
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15 (202) 295-4081  
16 On behalf of the National Rifle Association

17  
18  
19 --continued--  
20  
21  
22

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4

1 APPEARANCES (CONTINUED):  
2  
3 FREDERICK A.O. SCHWARZ, JR., ESQ.  
4 RYAN SCOTT SPIEGEL, Intern  
5 Brennan Center For Justice  
6 and

LaPierre Dep

7 Cravath, Swaine & Moore  
8 825 8th Avenue  
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10 (212) 474-1444  
11 On behalf of the Defendant Intervenors

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13 JAMES J. GILLIGAN, ESQ.  
14 SERRIN TURNER, ESQ.  
15 U.S. Department of Justice  
16 Federal Programs Branch, Room 816  
17 901 E Street, NW  
18 Washington, DC 20530  
19 (202) 514-3358  
20 On behalf of the Defendant Intervenors

21  
22

--continued--

□

5

1 APPEARANCES (CONTINUED):

2

3 RANDOLPH D. MOSS, ESQ.  
4 (Partial Appearance)  
5 Wilmer, Cutler & Pickering  
6 2455 M Street, NW  
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8 (202) 663-6640  
9 On behalf of the Defendant Intervenors

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□

6

1 P R O C E E D I N G S

2 whereupon,

3 WAYNE LaPIERRE

4 was called as a witness and, having first been duly  
5 sworn, was examined and testified as follows:

6 EXAMINATION

7 BY MR. SCHWARZ:

8 Q Mr. LaPierre, are you the executive  
9 director of the --

10 A I'm Executive vice-president.

11 Q Executive vice-president. How long have  
12 you held that post?

LaPierre Dep

13 A Since '91.

14 Q Since '91. Okay. So do you know you're  
15 here as both a regular witness in your own person  
16 and as a so-called 30(b)(6) witness?

17 A Yes.

18 Q And what did you do to prepare to be a  
19 30(b)(6) witness?

20 A Nothing in particular, other than we had  
21 one -- I had one meeting with counsel. They were  
22 telling me what was going to happen here today.

□

7

1 Q Did you learn anything in your preparation  
2 to be a 30(b)(6) witness that you didn't already  
3 know?

4 A No.

5 Q So is it fair to say that you haven't done  
6 any work to prepare for this deposition other than  
7 to have your own recollection as Wayne La Pierre  
8 refreshed as to things you already knew? Is that  
9 correct?

10 A That's correct.

11 Q Okay.

12 A But it -- it really wasn't even refreshed  
13 much. I mean, I -- yeah.

14 Q Do you have a pretty good memory of the  
15 subjects you're going to testify about?

LaPierre Dep

16 A I think so as it relates to the things  
17 that I was involved with directly.

18 Q And what did you understand your -- the  
19 subjects were where you were to testify as a  
20 30(b)(6) witness?

21 A The -- if I'm correct, I'm not sure  
22 exactly what 30(b)(6) is, but I think -- what I

□

8

1 think that is is the subjects that I have particular  
2 knowledge of or some expertise in or I'm the most  
3 qualified person to talk about. And those are --  
4 would be the areas of the infomercials NRA did,  
5 membership, programs, and all of those types of  
6 areas.

7 Q But you were not aware that you were meant  
8 to become familiar with respect to all of the  
9 political advertisements run by NRA?

10 A No.

11 MR. SCHWARZ: Well, I think he hasn't been  
12 prepared as a 30(b)(6) witness, and we may have to  
13 have another 30(b)(6) witness.

14 BY MR. SCHWARZ:

15 Q You -- were you director of ILA before you  
16 were executive director?

17 A Yes, I was.

18 Q And how long did you hold that post?

LaPierre Dep

19 A From '80 -- I think '86 through '91.  
20 Q Okay.  
21 A '86, I believe.  
22 Q And after you finished being ILA director

□

9

1 or -- is it ILA director or executive director?  
2 A ILA executive director.  
3 Q Okay.  
4 A I think I'm right.  
5 Q After you finished being ILA executive  
6 director, who succeeded you?  
7 A Jim Baker did.  
8 Q And did someone succeed him?  
9 A Yes. Tanya Metaksa and Baker again.  
10 Q And what was the reason for Mr. Baker  
11 stepping out and stepping back in?  
12 A He wanted to go out on his own and do  
13 private practice and private -- private consulting.  
14 And then he decided he wanted to come back at some  
15 point.  
16 Q Uh-huh. And did you choose Ms. Metaksa to  
17 replace Mr. Baker when he left?  
18 A I did.  
19 Q And had you known her work before that?  
20 A She had worked with NRA prior to that. I  
21 had known her, yes, and I had known her work.



22 Q And what had her work been before that?

□

10

1 A She was -- she was -- she had worked in  
2 the firearms area for -- for a while as a  
3 consultant. She also -- she -- I think she was  
4 state and local director for NRA at one point. And  
5 then she was deputy director of the Institute for  
6 Legislative Action.

7 Q And when Mr. Baker came back, what did  
8 Ms. Metaksa then do at NRA?

9 A She left.

10 Q Didn't she stay for a little while doing  
11 something else?

12 A She stayed as a -- a consultant for a  
13 while, I think, but doing -- doing some consulting  
14 work.

15 Q And on what subjects?

16 A Anything NRA asked her to do.

17 Q Okay. Did you -- were you the person who  
18 made the decision to keep her on as a consultant?

19 A Yes, I was.

20 Q And with respect to -- I'm going to ask  
21 you a couple of questions about both Mr. Baker and  
22 Ms. Metaksa --

□

11

1 A Right.

2 Q -- and then go on to another subject.

3 A Sure.

4 Q Why don't I start with Mr. Baker. Is  
5 Mr. Baker someone who's knowledgeable about NRA's  
6 political strategies?

7 A Yes, he is.

8 Q And is Ms. Metaksa someone who was  
9 knowledgeable about NRA's political strategies?

10 A Yes.

11 Q And is Mr. Baker a reliable and  
12 trustworthy employee of NRA?

13 A Yes.

14 Q And was Ms. Metaksa a reliable and  
15 trustworthy employee of NRA?

16 A Yes.

17 Q So you didn't have any complaints about  
18 either one of them even though each left for a  
19 while? Mr. Baker left for a while, and Ms. Metaksa  
20 left, I guess, permanently --

21 A Right.

22 Q -- at some point.

□

1           A     Yes.  That's -- I mean, there were --  
2     certainly not with Mr. Baker, with Jim Baker.  With  
3     Tanya Metaksa, we at some point, through the  
4     organization and Tanya, felt we would be better  
5     served in a different relationship.

6           Q     But was that because of any criticism of  
7     her competence in what she did or --

8           A     No.  I mean, it was -- it was more style.

9           Q     Okay.  So anyway, to sum up, for both the  
10    directors of the ILA who came after you were  
11    director of ILA --

12          A     Right.

13          Q     -- they've been reliable and satisfied and  
14    informed employees of NRA; is that correct?

15          A     That's correct.  That is correct.

16          Q     Now, you've personally worked on NRA's  
17    media strategy, haven't you?

18          A     I have.

19          Q     Indeed, you told -- let me not put it in  
20    that way.

21                     You've done that work in NRA's offices,  
22    correct?

□

1           A     That's correct.

LaPierre Dep

2 Q And you've also worked on NRA's media  
3 strategy in the airports, correct?

4 A Do you mean making phone calls to ad  
5 agencies or things like that?

6 Q Well, just plain working on NRA's media  
7 strategy.

8 well, I'll ask you a question about phone  
9 calls. Have you made phone calls after midnight to  
10 people about NRA's media strategy?

11 A Not -- not that I recall.

12 Q Well, have you worked with Mr. Heston in  
13 airport lounges on NRA's media strategy?

14 A In airport lounges?

15 Q Yeah.

16 A Not that I remember. I mean, it may have  
17 been possible somewhere that they had a -- a room  
18 where we met and we talked about stuff. But I don't  
19 have a clear recollection of it. It would be  
20 possible to discuss our media strategy anywhere, to  
21 tell you the truth, that we were all together.

22 Q Did --

□

14

1 A I'm not saying that -- I just don't -- I  
2 know -- I think I know what you're asking. Is it  
3 possible that we arranged a room somewhere in an  
4 airport and met with Mr. Heston and had a meeting

LaPierre Dep

5 with our ad agency? I guess so. Do I remember  
6 that? No, I don't.

7 Q Did you tell your members in a  
8 fund-raising letter that Mr. Heston and I have spent  
9 a lot of time hammering out our media strategy in  
10 airport lounges and on midnight phone calls?

11 A Yeah, I think there was a direct mail  
12 piece where it talked about things like that.

13 Q Right. And that was true when you said  
14 it?

15 A It was true in terms of the general thrust  
16 of working at all hours, everything else. But, no I  
17 don't remember, is that exactly true? It's probably  
18 true within the context of, yeah, we work hard. We  
19 work day and night. Did we have a meeting in an  
20 airport lounge? Maybe. Did we call after midnight?  
21 We had late phone calls. I don't remember any after  
22 midnight.

□

15

1 Q Okay. But, anyway, you have no reason to  
2 doubt that you did say that in a letter to your  
3 members --

4 A That sounds like --

5 Q -- seeking funds?

6 A -- something we would have said, yes.

7 Q Okay. And apart from that little small

8 detail --

9 A Right.

10 Q -- it's true, isn't it, that you, Wayne  
11 La Pierre, have worked extensively on figuring out  
12 what NRA's media strategy ought to be, correct?

13 A That's correct.

14 Q And that includes what NRA's media  
15 strategy ought to be in connection with political  
16 matters; is that correct?

17 A I used to do that all the time when I was  
18 the executive director of ILA. Since '91, I have  
19 not done that as much as I did when I was at -- when  
20 I was executive director of ILA. Because it's  
21 not -- the -- the PAC is actually run by the  
22 executive director of ILA and not me.

□

16

1 So since '91, I have not sat in on those  
2 PAC meetings where they make those types of specific  
3 decisions.

4 Q But you kept yourself informed about those  
5 decisions, correct?

6 A Within a broad context --

7 Q Uh-huh.

8 A -- I have.

9 Q And what do you mean by "within a broad  
10 context"?

LaPierre Dep

11 A Well, I knew what was going on in terms of  
12 the general framework. Did I know every ad they  
13 were running? No.

14 Q Okay.

15 A Did I know the conversations that went  
16 back and forth in terms of preparing those ads? No.  
17 I mean, did I have some knowledge that they were  
18 in -- did I have knowledge that they were in this  
19 race? Yes. Were there races that they were in that  
20 I did not know about since '91? Yes.

21 Q So let's use your words, "general  
22 framework."

□

17

1 A Right. The big races I probably knew  
2 about.

3 Q So would it be fair to say that, without  
4 your focusing on the precise specifics --

5 A Right.

6 Q -- you would know for the time you were  
7 executive director of NRA --

8 A Uh-huh.

9 Q -- after you had been executive of the  
10 ILA --

11 A Right.

12 Q -- but you would know the general  
13 framework of the media strategy that the PVC -- PVF

LaPierre Dep  
14 was following; is that correct?  
15 A On -- probably on major races that we had  
16 talked about, I would have some knowledge, yes.  
17 Q And major races would include, for  
18 example, in 2000, would include the Gore/Bush race?  
19 A Yes.  
20 Q And which senate races would come to your  
21 mind in 2000?  
22 A In 2000, I try to forget about them when

□

18

1 they're over. Yeah, I mean, races like the Abraham  
2 race, races like, you know, if you had --  
3 Q Ashcroft?  
4 A Yeah, Ashcroft would be a race. But,  
5 again, in those races, I couldn't tell you a lot of  
6 the specifics on what ILA did in those races --  
7 Q Okay.  
8 A -- because it's just not something I did.  
9 Q Well, I want to stick on generalities and  
10 not specifics.  
11 A You knew they were in those races.  
12 Q So you knew that ILA was in certain races?  
13 A Right.  
14 Q And you knew NRA was in certain races  
15 also, right?  
16 A No. I mean, NRA, when you talk about



LaPierre Dep

17 specific races, that is done through ILA. The --  
18 when NRA goes into a political race, it's done  
19 through ILA. When we do NRA's election  
20 communications stuff that is specifically targeted  
21 for the election, that's done through ILA.

22 Q You're not suggesting, are you, that NRA

□

19

1 did not run ads that were critical of Al Gore in the  
2 2000 election?

3 A NRA ran infomercials in the 2000 election  
4 that talked about the Gore race.

5 Q I'm sorry. I don't want to -- mean to  
6 interrupt you.

7 A Yeah, no.

8 Q See if you can answer my question, which  
9 was a little different. Is it not a fact that NRA  
10 in infomercials, in radio ads, and in TV spot ads  
11 ran pieces that were critical of Al Gore?

12 A Yes, we did. But we did --

13 Q You just have to answer my question. And  
14 we'll get to longer answers. But where I ask you a  
15 question that's capable of a yes or no answer, you  
16 should answer it with a yes or a no.

17 MR. COOPER: And he has.

18 MR. SCHWARZ: And he did.

19 MR. COOPER: And he would like to

LaPierre Dep

20 elaborate his answer.

21 MR. SCHWARZ: I don't see any need to  
22 elaborate the answer. I'll come to more detail.

□

20

1 I'm trying to form a pattern here now.

2 BY MR. SCHWARZ:

3 Q Now, in terms of -- I'm using your word  
4 again -- general framework where you did understand  
5 the general framework of what was being done on the  
6 ILA side, did you understand the general strategy  
7 with respect to timing of ILA political ads, not  
8 specifics?

9 A I would know that ILA's ads were probably  
10 run during the election cycle. When they were run  
11 specifically in terms of timing by specific day, by  
12 specific hour, no, I didn't follow that.

13 I mean, what I was doing on the NRA side  
14 was -- was much broader than anything to do with the  
15 election. It had an impact on the election. But it  
16 was within the larger cultural context of President  
17 Clinton and Al Gore trying to center stage the whole  
18 firearms issue and change the culture on the  
19 firearms issue.

20 And NRA got involved with that by  
21 responding to the attacks of the attacking President  
22 Clinton and Al Gore. And we felt that we did not

□

21

1 have the -- President Clinton even said it. What  
2 they were trying to do is change the culture of the  
3 firearms issue in this country, of the firearms  
4 debate, change the culture of Americans as to how  
5 they think about firearms.

6 And when we were -- we were on our side  
7 responding to that.

8 Q And, for example, Mr. Heston was the -- I  
9 don't know if you say narrator or spokesperson,  
10 whatever you say, of a number of ads that were run  
11 in March of 2000 that were extremely critical and  
12 very -- I won't say how effective they were, but  
13 it's for others to judge, but extremely critical of  
14 remarks that President Clinton had made about guns.  
15 And those were run in March of 2000, correct?

16 A Right. Responding to comments that the  
17 President made --

18 Q Right.

19 A -- that were extremely critical of NRA and  
20 the cause that we were fighting for.

21 Q And that's part of the back and forth --

22 A Right.

1 Q -- that you said you were engaged in?

2 A Right.

3 Q Now, getting back to the general framework  
4 and your understanding of what the ILA people were  
5 doing, you said that, with respect to timing --

6 A Right.

7 Q -- while you didn't know the precise date  
8 or even the hour --

9 A Right.

10 Q -- you did know that they concentrated  
11 their ads in -- I think you used the word election  
12 season.

13 A That's correct.

14 Q Were those your words? If I misremember  
15 them, I don't want to --

16 A Yeah, I think those probably were my  
17 words.

18 Q Jim said you said election cycle.

19 A Either one.

20 Q What did you mean by election cycle, or  
21 what do you mean by election season?

22 A Well, ILA tends to run most of their ads

LaPierre Dep

1 when people are specifically focused on the  
2 political debate and the debate on our issues. And  
3 people tend to focus and pay attention more as they  
4 get closer to an election. So that's when ILA runs  
5 their ads.

6 Q Generally, they run them within the last  
7 60 days before an election; isn't that correct?

8 A I think that's a general true statement.

9 Q And probably weighted within the last 30  
10 days before the election; isn't that correct?

11 A That's probably true. As do most, yeah.

12 Q And with respect to ads -- I'm talking NRA  
13 now, not ILA -- did you run NRA ads that were  
14 critical of Al Gore? I think you testified --

15 A I -- we did run as it was critical of Al  
16 Gore.

17 Q And those ads also were run in the 60 days  
18 before the 2000 election; is that correct?

19 A That's correct.

20 Q Now, again, focusing on your words general  
21 framework and ILA, I think you testified before that  
22 you might -- you would know -- strike that.

□

24

1 I want to focus for a moment on where the  
2 ads are run.

3 A Okay.

4 Q Can I call that placement of the ads; is  
5 that fair?

6 A Sure, Uh-huh.

7 Q With respect to the placement of the ads  
8 by ILA --

9 A Right.

10 Q -- would you also be generally informed  
11 about the general framework of where the ILA was  
12 running its ads, not the specific places, but the  
13 general approach of how to decide where to run their  
14 ads?

15 A I would be -- I mean I -- ILA would run  
16 their ads where they felt it was necessary to run  
17 their ads to carry out their political message they  
18 were trying to get across.

19 So, I mean, it would probably be -- it  
20 would be in the targeted states in terms of where  
21 they intended to hopefully have an impact on the  
22 election.

□

25

1 Q And the targeted states would be states  
2 where they had concluded, based on some knowledge --

3 A Right.

4 Q -- or on some knowledge that the race was  
5 going to be close; is that correct?

6 A That's correct. Or were being attacked by  
Page 22

LaPierre Dep

7 a politician in responding to their charges or  
8 something like that.

9 Q Now, with respect to the general  
10 framework, again, I want to ask you some question  
11 about the content of ads.

12 A Right.

13 Q Were you aware, not of every word that was  
14 in ILA ads, but were you aware of the important  
15 points that ILA was trying to make in their ads that  
16 were run during the election cycle?

17 A Yeah, I think so.

18 Q Okay. Now ILA --

19 A In most cases. Not in every case, but in  
20 most cases.

21 Q Okay. But I'm trying to pick up on  
22 your --

□

26

1 A Right.

2 Q -- use of your words general framework.

3 A Right.

4 Q And that's sufficient. I'm not asking you  
5 to know every comma in every ad.

6 A Right.

7 Q Just as I'm not asking you to know every  
8 hour in which an ad was run.

9 Now, ILA is a part of NRA, correct?

LaPierre Dep

10 A That's correct.  
11 Q And ILA runs the NRA PAC, the PVF; is that  
12 correct?  
13 A That's correct.  
14 Q But that's not all that ILA runs, is it?  
15 A That's correct.  
16 Q What else does ILA do?  
17 A They're structured where they do -- they  
18 represent NRA in the State legislatures around the  
19 country. They represent NRA in legislation before  
20 Congress. They have a research division that  
21 provides research on this issue. They -- they have  
22 a legal division that provides legal advice.

□

27

1 They -- they also have a communications division  
2 that deals with the media.  
3 Q So ILA is not synonymous with the NRA PAC,  
4 correct?  
5 A No.  
6 Q Now, there is an executive director of  
7 ILA?  
8 A That's correct.  
9 Q And that person reports to you, right?  
10 A The PAC director reports to me, that's  
11 correct.  
12 Q And you use the word PAC director, that's



LaPierre Dep

13 fine. But the ILA director also reports to you?

14 A And the ILA director also reports to me;  
15 that's correct.

16 MR. SCHWARZ: Okay. Now, let's go back  
17 to -- I do think -- we don't need to spend time on  
18 this. But he has not been prepared as a 30(b)(6)  
19 witness. And we can talk about that later.

20 MR. COOPER: Well we can talk about that  
21 later.

22 MR. SCHWARZ: He was in a nice way, quiet

□

28

1 way, saying, yes, we can talk about that, if I heard  
2 him right.

3 .

4 BY MR. SCHWARZ:

5 Q How much time did you spend preparing for  
6 this deposition?

7 A We --

8 Q We being you and Chuck or you and Chuck  
9 and David?

10 A I went over to Chuck's firm, and we met  
11 for, probably, two and a half, three hours the other  
12 day, talking two hours.

13 Q Okay. And was anybody there besides  
14 Chuck?

15 A Chuck was there. David was there. And

LaPierre Dep

16 one other member of their firm --

17 Q Okay.

18 A -- was there.

19 Q And have you done anything to prepare for  
20 this deposition other than that one meeting and your  
21 breakfast this morning?

22 A We had one other meeting out at our

□

29

1 building a while back where we talked to -- about  
2 the case in general. And I think there was some  
3 mention of there would be a deposition at some point  
4 and that I would probably be called.

5 Q And was there -- but other than telling  
6 you you were likely to be examined in a deposition,  
7 then, did they do anything at that meeting in which  
8 they went over what your knowledge was or wasn't?

9 A I think we had some discussion of what I  
10 remembered about stuff.

11 Q Okay.

12 A I mean, I -- I'm not trying to be evasive.

13 Q I don't think you are being evasive. I  
14 haven't -- if my face said that -- I don't think it  
15 did. It wasn't intended to.

16 A I think we talked about -- not -- what  
17 areas I would have expertise in. And I think we  
18 talked a little bit about those areas.

19 Q Okay.

20 MR. COOPER: And, obviously, I prefer that  
21 we not get into specifics of communications.

22 MR. SCHWARZ: I'm not going to get into

□

30

1 specifics.

2 MR. COOPER: Okay.

3 BY MR. SCHWARZ:

4 Q So other than those meetings --

5 A Right.

6 Q -- have you done anything at all that you  
7 would characterize as helping you to prepare for  
8 this deposition?

9 A No, other than I -- I've -- I mean, I  
10 think I remember what happened over the years.

11 Q Okay. So you -- as you pace the floor at  
12 night or sat in airport lounges or thinking in the  
13 bathtub occasionally, you thought about those  
14 things --

15 A That's correct.

16 Q -- to help you get in the frame of mind to  
17 testify today?

18 A That's correct.

19 Q Okay. Did you review the NRA complaint in  
20 this action before it was filed?

21 A I did read it.

22 Q And did you approve it?

□

31

1 A I did.

2 Q And there was nothing in it that you  
3 disagreed with?

4 A That's correct.

5 Q And are you familiar with -- do you have  
6 any familiarity at all with what tapes or other  
7 recordings of advertisements have been given to us  
8 in connection with the discovery in this case?

9 A I -- yeah. Other than -- not specifically  
10 other than I -- we told them to give them everything  
11 they wanted, basically. And I think that's pretty  
12 much what we've done. It's --

13 Q You don't really mean to say pretty much  
14 what you've done.

15 A No, I think that's what we've done, yeah.

16 Q Okay.

17 A I think we've given you everything that  
18 you wanted, and that's what we told them to do. And  
19 we're proud of what we've done. So I mean we --  
20 yeah.

21 Q I made a comment to David about the  
22 quality of your advertisements, which I hope he

1 passed on to you.

2 MS. MITCHELL: Did you want to put that on  
3 the record?

4 MR. SCHWARZ: No, I didn't.

5 THE WITNESS: We try hard.

6 BY MR. SCHWARZ:

7 Q And Mr. Heston has one hell of a good  
8 voice, doesn't he?

9 A He's something else, isn't he? Yeah, he's  
10 a one and only.

11 Q Have you in the last -- within the last  
12 month listened to or viewed any of the ads which --  
13 or infomercials if you don't call those ads --

14 A Right.

15 Q -- which NRA has run in the last -- last 8  
16 years?

17 A Did I go back and watch them again? No, I  
18 didn't.

19 Q Or listen to anything.

20 A No.

21 Q Okay. You remember -- do you remember  
22 some of the hits as far as the ads go that you think

1 were particularly good or effective?

2 A Yeah, I do. I do.

3 Q what would you say in the 2000 election,  
4 in the 60 days before the presidential election --

5 A Right.

6 Q -- what do you think the most effective ad  
7 was that NRA ran?

8 MR. COOPER: By effective, can you  
9 elaborate on that?

10 BY MR. SCHWARZ:

11 Q I'll use the word we used in -- what was  
12 the best ad that we used in the prior question?  
13 what was the best ad that NRA ran in the 60 days  
14 before the presidential election of 2000?

15 A Our best infomercial ad was during that  
16 whole -- during that whole last couple -- last  
17 2 years of the Clinton Presidency, and that included  
18 the window of the 60 days, which was talking about  
19 what was going on in other countries, talking about  
20 what happened in England, talking about what  
21 happened in Australia, talking about what was  
22 happening in Canada.

□

1 Q Uh-huh.

LaPierre Dep

2           A     The whole idea of those infomercials was  
3 to do a news documentary similar to 60 Minutes.  
4 60 Minutes said we're covering the story that was  
5 not being covered by the media companies in the U.S.  
6 because they -- for whatever reason, they decided to  
7 bury it.

8                     And we also, given the fact there's so  
9 much media being run against us by the other side  
10 that's for free that the other side gets, and there  
11 was a whole campaign being run against the NRA by  
12 the Clinton-Gore operation, basically, out of the  
13 white House that relied on all kinds of free media  
14 that they could gather from these media companies  
15 that supported them, that we wanted to stretch our  
16 media dollars using infomercials and hoping we can  
17 get some money back.

18                    And a central part of that strategy in  
19 responding to the debate for the culture that was  
20 going on was to -- was to talk about what's going on  
21 in other countries around the world.

22                    MR. SCHWARZ: Is David coming back?

□

35

1                    MR. COOPER: Oh, yes.

2                    MR. SCHWARZ: Because we received a short,  
3 I think, 30 or 60-second TV ad that covers that  
4 subject, but not a half hour -- we don't have it

5 with us. Okay. Okay. LaPierre Dep

6 MR. GILLIGAN: That's different.

7 MR. SCHWARZ: That's a very important  
8 difference.

9 MR. COOPER: Yes. Because I have been  
10 assured that you would receive the ad itself.

11 THE WITNESS: I mean, I think all of it  
12 was effective, but I think the most effective part  
13 was the, without doubt, is pointing to what is going  
14 on in these other countries.

15 BY MR. SCHWARZ:

16 Q When you say all of it is effective --

17 A The infomercials.

18 Q So the infomercials covered a lot of other  
19 subjects?

20 A It basically, maybe, was made up of three  
21 pods, and the pods were shifted around. We tried to  
22 keep it current. We tried to keep it topical, so we

□

36

1 shifted the pods.

2 Q I'm going to come back to infomercials in  
3 a little while.

4 I want to go back to Mr. Baker and  
5 Ms. Metaksa. How often during a given election year  
6 did they communicate with you or you communicate  
7 with them?



LaPierre Dep

8 A A lot.

9 Q A lot. And that's true through all of  
10 your tenure as executive director?

11 A That's correct.

12 Q And you did the same thing when you were  
13 executive director of the ILA, communicating a lot  
14 with whomever it was that was executive director of  
15 NRA?

16 A That's correct.

17 Q Okay. And you communicated a lot because  
18 you wanted to be on the same page as far as strategy  
19 and -- strategy, correct?

20 A Yeah. I mean, the -- I mean, the ultimate  
21 responsibility of executive vice-president is to  
22 make sure the organization is carrying out its

□

37

1 purposes under the bylaws. And, I mean, part of  
2 those purposes are to -- you want -- you want -- you  
3 want to win. It -- so, yes.

4 Q And when you say you want to win, win is a  
5 broad word. But win includes winning the elections  
6 that you care about; is that correct?

7 A It includes winning -- I mean, yeah. It  
8 includes winning the elections. It includes winning  
9 the cultural battle for this issue. It includes  
10 putting winning programs on the field in terms of

LaPierre Dep

11 safety and education and training and hunter safety  
12 and magazines. It includes the whole of the  
13 organization. And -- but there is a political  
14 component of that and a legislative component of  
15 that.

16 Q Uh-huh. Concentrating now on regular NRA,  
17 which includes the ILA and includes the PAC, but for  
18 the moment, I want you to think about NRA without  
19 regard to the PAC, okay. Is that something you can  
20 do?

21 A Sure.

22 Q So during the federal election cycle --

□

38

1 A Right.

2 Q -- in 2000, regular NRA ran TV spot ads,  
3 correct?

4 A I wouldn't call them spot ads. What we --  
5 well, we ran -- we ran spot ads -- we ran spot ads  
6 involving Charlton Heston talking about, I think,  
7 talking about the crime bill or talking about -- or  
8 talking about President Clinton's attack on the NRA.

9 Q That was in March, isn't it?

10 A Those were the spot ads I'm thinking of.  
11 You're talking about the 30 second ads, 1 minute ads  
12 as opposed to the infomercial. We ran those. We  
13 ran the infomercial. We ran -- we also ran ads

LaPierre Dep

14 responding to the Million Mom March, challenging  
15 them to put up a million dollars for safety,  
16 education in classrooms to keep young kids away from  
17 guns.

18 Q Those were also in March or April? I  
19 think March.

20 A I think they were. That's correct.

21 Q And were those, would you say, ads that  
22 focused entirely on an issue of concern to the NRA,

□

39

1 both the Heston ads criticizing President Clinton  
2 and the ones responding to the Million Mom March?

3 A Yeah. There were ads that related to this  
4 ongoing battle to the culture where we felt we were  
5 being attacked viciously by a Clinton-Gore political  
6 operation being run directly out of the White House  
7 that encompassed the Million Mom March, encompassed  
8 their friends in the media conglomerates, and used  
9 all these resources in this battle for American  
10 culture.

11 And we decided the only way we could have  
12 a voice fighting back -- or one of the best ways we  
13 could have a voice in fighting back is with paid  
14 media. And in that ongoing battle for the culture,  
15 we ran those ads.

16 Q Now, you all --

17 A We --

18 Q Go ahead.

19 A We are the experts in firearm safety  
20 education in the country.

21 Q Uh-huh.

22 A We spent over \$20 million the last

□

40

1 10 years. And, yet, here you had this Clinton-Gore  
2 strategy in conjunction with the Million Mom March  
3 trying to make it sound like we could have cared  
4 less about safety. And we were responding to that  
5 with those ads.

6 Q Yeah. And those were things, both the  
7 Charlton Heston ads that directly -- if I can use a  
8 soft word -- critiqued President Clinton and the ads  
9 that responded to the Million Mom March were run in  
10 the -- spot ads were run in the spring of 2000,  
11 correct?

12 A Right. They were run with -- the Million  
13 Mom March I believe was in the spring. Some of them  
14 were run in context with the Million Mom March.  
15 Some of them were run in the ongoing back and forth  
16 in terms of this battle for the culture that was  
17 going on with the Clinton-Gore White House, Justice  
18 Department assault on NRA.

19 Q But the particular ads that responded to

20 the Million Mom March --

21 A Right.

22 Q -- and Charlton Heston's, as I said,

□

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1 critique of President Clinton were both run in  
2 March, correct?

3 A I think that they -- they were run early  
4 in the year. I think they were run in March. I  
5 mean, could they have been run in May? Yeah, they  
6 could have been run in May. They were run before  
7 the summer.

8 Q Right. That's fair.

9 A I'm sure of that.

10 Q Very often -- sometimes I will need a  
11 really precise answer from you.

12 A Right.

13 Q And we'll fight like hell to get it.

14 A Right.

15 Q Sometimes, you know, answering in that way  
16 is satisfactory.

17 A I just can't remember what the exact date  
18 of the Million Mom March was.

19 Q It's in the spring sometime.

20 MR. GILLIGAN: By the way, Fritz, we're on  
21 the record, so say fight like heck.

22 MR. SCHWARZ: As they say in the Congress,

□

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1 revise and correct my remarks.

2 MR. COOPER: So long as you don't revise  
3 and extend.

4 MR. SCHWARZ: Is that what they do?

5 BY MR. SCHWARZ:

6 Q Now, I want to focus with you about spot  
7 ads run by the NRA during the 60 days prior to the  
8 election.

9 A Right.

10 Q First, am I correct that NRA did run spot  
11 ads on both TV and radio in the 60 days prior to the  
12 2000 election?

13 A That is correct.

14 Q And do you have in your mind as you sit  
15 here today, before I might refresh you with  
16 anything, any particular NRA spot ads that were run  
17 on radio in the 60 days prior to the 2000 election?

18 A I know that ILA would have ran --

19 Q I'm talking now NRA itself. And I should  
20 have repeated that. NRA itself as opposed to the  
21 PAC.

22 A I know as a -- within the infomercial, we

1 ran ads -- the infomercial ads, we talked about  
2 England. We talked about Australia. We talked  
3 about Canada. We talked about Gore. We talked  
4 about -- I don't know whether we said anything about  
5 Lieberman or not. But I know we talked about Gore.  
6 I know we talked about President Clinton. I know we  
7 talked about this whole ongoing debate that was  
8 going on on this whole issue for the -- we talked  
9 about it all.

10 Q well --

11 A I mean, it was a moving thing. It was a  
12 moving -- from the time we started that infomercial,  
13 we wanted to get our side out there. And we kept  
14 moving the line forward in terms of the way the  
15 national debate proceeded. And we moved it forward  
16 to the election. And we moved it forward beyond the  
17 election.

18 After the election, we went back talking  
19 about the UN. We talked about what was going on  
20 with the UN conference and all that in terms of --  
21 yeah.

22 Q But I want to keep you on the subject of

LaPierre Dep

1 spot ads for a moment. I've used the term spot ads,  
2 does that mean anything to you?

3 A When you talk about spot ads, to me, what  
4 it means, I assume you're talking about a 30-second,  
5 a 60-second radio commercial, TV commercial as  
6 opposed to a half an hour program --

7 Q Yes.

8 A -- which is what our infomercials were.

9 Q So if I use the term spot from now on,  
10 let's agree it's 30 or 60-second ads as opposed to  
11 infomercials.

12 A Okay.

13 Q Now, so let me ask you again. Did NRA run  
14 spot ads on radio within 60 days of the 2000  
15 election? And when I say NRA in this question, I  
16 mean excluding the PAC.

17 A ILA could have run some ads. But I'm --  
18 I -- I don't know whether they did or whether they  
19 didn't. I don't remember NRA running spot ads on  
20 radio prior to the -- I don't.

21 Q You remember running --

22 A I remember us running an infomercial

□

45

1 within that window. I don't remember us running any  
2 radio.

3 Q Okay. And so what about TV?



LaPierre Dep

4 A I remember us running infomercial.

5 Q But how about spot TV?

6 A I don't remember us buying spot ads on the  
7 NRA side prior to the election.

8 Q Okay. Now, when you said ILA might have  
9 run a spot ad --

10 A Right.

11 Q -- do you have in your mind ILA running an  
12 ad other than a PAC ad?

13 A If -- again, I mean I -- I don't know  
14 specifically everything they did. I mean, if they  
15 were running a political ad, I assume it would have  
16 been a PAC ad. But if they were talking only -- I  
17 just -- they might have run ads.

18 I think if they were political ads, they  
19 would have been PAC ads because that's the way we do  
20 it. If they're political ads, they tend to be --  
21 they're PAC ads. If they're ILA ads -- there are  
22 things ILA does that they -- they go only to the

□

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1 membership. That -- but most of that is mail and  
2 stuff like that.

3 I don't -- the -- at least the way it was  
4 when I was executive director of ILA and, I believe,  
5 to the best of my knowledge, the way it was is I  
6 don't think Jim or Tanya ran election ads that were

LaPierre Dep

7 outside of the PAC.

8 Q Okay. So you used two terms in that  
9 answer, "political ads" and "election ads."

10 A One and the same.

11 Q Okay. What do you mean by  
12 political/election ads?

13 A An ad that's vote for, vote against this  
14 candidate, stuff like that.

15 Q Well, is that the only criteria of a  
16 political or election ad that it concludes with the  
17 2 seconds saying vote for?

18 A Under the election law, if we say vote for  
19 or vote against, and it comes from NRA-ILA, they  
20 would tend to run that with political dollars, with  
21 PAC.

22 Q Are the only ads that you pay for with

□

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1 what I'll call PAC dollars --

2 A Right.

3 Q Can I use the term PAC dollars?

4 A Uh-huh.

5 Q Are the only ads you pay for with PAC  
6 dollars ads that conclude by saying vote for  
7 somebody?

8 A Almost all the time. Although they  
9 wouldn't -- they wouldn't -- they wouldn't have to

LaPierre Dep

10 conclude by saying vote for or vote against. They  
11 could -- but if they said vote for or vote against  
12 as a message coming from the National Rifle  
13 Association, it would -- it would tend to be paid  
14 for by PAC dollars.

15 Q Under what other circumstances, if any,  
16 has NRA actually used PAC dollars to pay for an ad?

17 MR. COOPER: I'm sorry. Could I ask the  
18 question be repeated, please.

19 (The reporter read the record as requested.)

20 THE WITNESS: It's possible that NRA ran  
21 an ad paid for by PAC dollars simply talking about  
22 the ongoing political discussion on the issue or

□

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1 responding to a candidate's charge or responding to  
2 the act of -- acts -- to the attack of a politician.  
3 But I'm not sure that that happened.

4 But what I'm saying is every time you --  
5 when NRA using PAC dollars, if NRA says we want you  
6 to go out on election day and cast your vote for  
7 John Smith, that tends to be -- that is paid for by  
8 PAC dollars.

9 BY MR. SCHWARZ:

10 Q Yes.

11 A That's paid for by PAC dollars.

12 Q That, I think, under the law, every one

LaPierre Dep

13 would agree, has to be paid for by PAC dollars.

14 A Right.

15 Q But do you believe that NRA -- now I'm  
16 speaking NRA broadly -- ran any ads that it paid for  
17 with PAC dollars that do not conclude by saying vote  
18 for somebody?

19 A I think within the info, we did a -- are  
20 you talking about whether it was a political  
21 discussion involving a candidate?

22 Q Go ahead and answer that way if you want

□

49

1 to. That's okay.

2 A Yes. Within the infomercial, within this  
3 ongoing back and forth of the Clinton-Gore attack on  
4 the NRA, that was -- we -- we incorporated  
5 discussion ongoing within the infomercial of that --  
6 that ongoing debate. And that was paid for by the  
7 infomercial -- on the NRA's side within the context  
8 of the infomercial covering the discussed -- back  
9 and forth discussion that was going on involving the  
10 campaign.

11 Q Thank you for that answer. And I'm not  
12 criticizing the way you answered it, but I would  
13 like to hear the question that I asked him.

14 (The reporter read the record as requested.)

15 THE WITNESS: We did not pay for that ad I  
Page 44

LaPierre Dep

16 was describing with PAC dollars. We paid for it  
17 with NRA dollars.

18 BY MR. SCHWARZ:

19 Q Let me repeat the question again.

20 A Okay.

21 Q Did NRA run any ads that were paid for by  
22 PAC dollars --

□

50

1 A Okay.

2 Q -- that did not conclude by saying vote  
3 for somebody?

4 A You know, I honestly don't know. It's  
5 possible. But I'm not -- I just don't know. I  
6 mean, they -- they -- ILA -- ILA might have done  
7 that. It would have been allowed. But -- and it  
8 wouldn't surprise me if they did. I just -- I just  
9 would have to see all the ads as to what they ran.  
10 I just don't know.

11 MR. SCHWARZ: Okay. I would like to mark  
12 this as La Pierre Exhibit 1.

13 (LaPierre Exhibit 1 identified.)

14 MR. SCHWARZ: In Washington, do we do them  
15 just by number?

16 MR. GILLIGAN: Yes.

17 MR. COOPER: Sure.

18 MR. SCHWARZ: Okay.

LaPierre Dep

19 MR. GILLIGAN: Is it harder in New York?

20 MR. SCHWARZ: Well, in New York sometimes,  
21 some judges say you have to have a -- one -- letters  
22 for defendants and numbers for plaintiffs. I think

□

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1 that's kind of silly, but anyway.

2 MR. GILLIGAN: Washington is an easygoing  
3 town.

4 MR. SCHWARZ: So this is a transcript of  
5 an ad. And we also have the video, which I'll play  
6 in a minute.

7 THE WITNESS: Right.

8 MR. SCHWARZ: But if you could mark this,  
9 and I will give you guys two copies.

10 MR. COOPER: Good.

11 (Discussion off the record.)

12 (Recess.)

13 BY MR. SCHWARZ:

14 Q Have you seen LaPierre 1?

15 A I have.

16 Q And is that one which -- it doesn't say  
17 vote for anybody, does it?

18 A No, it doesn't.

19 Q Okay. I can play it if you want me to.

20 But if I do play it, you would see that, in the  
21 grainy opening, it says "Paid for by the PVF PAC" --

22 A Right.

□

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1 Q -- and the usual language that goes along  
2 there. To your understanding of -- strike that.  
3 why do you believe this was paid for by  
4 PAC?

5 A I think it was paid for by the PAC because  
6 they wanted to do it to further the -- to get out a  
7 message in terms of the election year that they  
8 wanted to get out.

9 Q That's an awfully broad statement, isn't  
10 it? I mean, all of the ads that the NRA ran, the  
11 NRA itself ran --

12 A Right.

13 Q -- and all of the infomercials that the  
14 NRA itself ran were designed to get out a message,  
15 right?

16 A That's true. To talk about this  
17 discussion with this broader cultural debate  
18 involving our whole issue. But this is certainly a  
19 part of that that was done through the PAC.

20 Q Okay. And other than that explanation, do  
21 you have any other explanation for why this was paid  
22 for by the PAC?

1           A     It was because it was something that the  
2     PAC director decided he wanted to do in terms of  
3     furthering the NRA PAC, NRA-ILA message in terms of  
4     the election year.

5           Q     So is the only standard for what is run  
6     by -- what is paid for by the PAC, what the PAC  
7     director wants to do?

8           A     No. The standard would be if it -- if it  
9     says specifically vote for or against as an NRA  
10    message, it is -- it is paid for with PAC dollars.  
11    within -- you go to a broader context. If you get  
12    away specifically with a vote for or against, it --  
13    and you get away from that, it can be paid for by  
14    PAC dollars, or you can also have discussions that  
15    is not specifically paid for by PAC dollars.

16          Q     I must say I didn't quite understand that  
17    answer, Mr. LaPierre.

18          A     Well, if -- if you say specifically vote  
19    for or against a candidate, it has to be paid for by  
20    PAC dollars. If you -- can you have -- what I'm  
21    trying to say is, can you have broad discussion  
22    involving the firearms, NRA issues that involve the



1 topical debate also mentioning candidates names that  
2 do not use PAC dollars? Yes, you can. That is  
3 allowable in the law, and NRA has done that.

4 If we say specifically vote for or against  
5 this candidate as an NRA message, we pay for that  
6 with PAC dollars.

7 Q Okay.

8 A I mean, this last part of this ad, "now  
9 the Clinton-Gore Justice Department says you have no  
10 right to own a firearm," that is in response to an  
11 official position of the Clinton-Gore administration  
12 in the Department of Justice saying you have no  
13 right to own a firearm. It's only a collective  
14 individual right that they submitted in the Emerson  
15 case.

16 So, I mean, within that broad ongoing  
17 cultural debate that we live in.

18 Q Okay. Did NRA decide in 2000 that one of  
19 its key objectives for the year 2000 was to try to  
20 help George Bush get elected as President? If you  
21 can, answer that just yes or no.

22 A It was a lot more to respond to the

□

1 Clinton-Gore attacks and to hold our own and defend

LaPierre Dep

2 everything we stand for than it was to elect any  
3 particular candidate. But, yes, we were happy to  
4 see George Bush beat Al Gore, you bet.

5 Q And did -- and, again, I would like you to  
6 answer this question yes or no. And I think you can  
7 answer it yes or no.

8 Did NRA decide that one of its key  
9 objectives in the year 2000 was to help assure that  
10 Al Gore did not get elected as the President? And  
11 you can answer that --

12 A Yes.

13 Q Okay.

14 A Did NRA --

15 Q Just yes is your answer.

16 A Yeah -- NRA, yes.

17 Q And did -- in the year 2000, did NRA have  
18 any more important objective than trying to help  
19 Gore get elected President and trying to help  
20 assure -- excuse me. Strike my question.

21 In the year 2000, did NRA have any more  
22 important objective than trying to assure -- help

□

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1 assure that Bush was elected as President and that  
2 Gore was not elected as President?

3 A That -- that was -- it depends on who  
4 you're talking to. I mean, all the NRA programs are

LaPierre Dep  
5 important, the safety, the training, the education,  
6 the police training, the 12,000 competitions, the  
7 child safety programs.

8 But the truth is Al Gore and Bill Clinton  
9 were trying to destroy the entire culture of people  
10 in this country that supported firearms ownership.  
11 President Clinton even said in a press conference  
12 that, before we were able to achieve our objectives,  
13 we have to change the culture. And they were trying  
14 to change the culture and take away the very, as the  
15 Justice Department said, the very individual right  
16 to own a firearm.

17 And would that be the overriding NRA  
18 objective, NRA, that year, given that nature of that  
19 attack? Yes, it probably would.

20 Q Okay. Now, did the NRA -- now, I don't  
21 want to talk about Wayne LaPierre as executive  
22 director of NRA --

□

57

1 A Right.

2 Q -- but I want to talk about NRA as an  
3 institution.

4 A Right.

5 Q Did you go through any process to decide  
6 that you had no more important objective than to  
7 defeat Gore and to help Bush get elected?

LaPierre Dep

- 8 A Yeah. Turn on the television set.
- 9 Q I understand that.
- 10 A That told us everything we needed to know.
- 11 Q And that got in your brain.
- 12 A Yeah.
- 13 Q But did you have any meetings, for  
14 example, the board of directors, in which that  
15 subject was discussed?
- 16 A I'm sure that it was discussed at our  
17 board meetings, yes.
- 18 Q And --
- 19 A Did the board vote on it, no. They left  
20 the actual vote -- I believe they left the actual  
21 endorsement decisions to the PVF.
- 22 Q And the PVF is the group in the ILA that

□

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- 1 reports to you?
- 2 A That's correct.
- 3 Q So --
- 4 A The -- the director of the PV -- they're a  
5 separate entity, but ultimately -- and they make  
6 their decisions separate. But, ultimately, do they  
7 report to me? Yes.
- 8 Q Okay. Now, at that -- did you have more  
9 than one board meeting that discussed the political  
10 objective of the NRA to assure the defeat of Gore

LaPierre Dep

11 and the election of Bush or just one board meeting?

12 A There was never a board meeting with a  
13 specific purpose of discussing the election of  
14 President Bush or the defeat of Vice President Gore.

15 The -- we have a number of scheduled board  
16 meetings each year. We have -- we have one in  
17 September, one in -- one in May, and one in January.  
18 And I believe the subject probably came up -- I  
19 believe the subject came up in probably the  
20 September board meeting. It may even have come up  
21 in a May board meeting.

22 I mean, it was -- everybody in the country

□

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1 was talking about it. So I'm sure it came up within  
2 our board meeting.

3 Q Hadn't your board focused on this before  
4 February of 2000?

5 A Probably. I mean it -- I mean it was --  
6 you couldn't turn on the TV without watching the war  
7 that was being waged and -- in terms of this issue.  
8 And I'm sure we talked about it at every board  
9 meeting.

10 Q And would your board minutes contain -- I  
11 think you testified there was no special board  
12 meeting called --

13 A Right.

LaPierre Dep

14 Q -- to discuss the political program.

15 A Right.

16 Q But there was a discuss at a board meeting  
17 about the political program.

18 A I believe there -- I believe there  
19 probably was. Do I remember a specific discussion?  
20 No. But everything I know -- I mean, it would be  
21 logical to me that as -- that it came up at our  
22 board meeting, and there was probably a discussion

□

60

1 of it. And it would probably not have been an  
2 executive session, so it would probably be in the  
3 minutes of our board.

4 Q Okay.

5 MR. SCHWARZ: David, I would like to see  
6 that section of the board minutes and any section  
7 that also talks about strategy in connection with  
8 the Senate and House races in 2000. 2000 will be  
9 enough to get the impression. I don't need to ask  
10 for earlier years.

11 BY MR. SCHWARZ:

12 Q Okay. You know Mr. Kayne Robinson?

13 A I do.

14 Q And he is NRA first vice president?

15 A He is.

16 Q And is he in line to succeed Mr. Heston?

17           A     He is.     LaPierre Dep  
18     It has to be voted on by the  
19     board, but he's in line.  
20           Q     And he's a trusted and respected member of  
21     the NRA board?  
22           A     He is.  
          Q     And that's why he is the president of --

□

61

1     first vice president?  
2           A     He is.  
3           Q     And was -- does Mr. Robinson as first vice  
4     president have any function other than as an  
5     informed board member?  
6           A     He is a -- he's a board member. He is --  
7     he's chairman of one of our committees. He's -- of  
8     legislative policy committee. He -- and he has the  
9     roles of the -- of the second vice president, which  
10    are ultimately, if the president cannot carry out  
11    the duties for a time period, they fall on the  
12    second vice president.  
13          Q     You mean he's both the first and the  
14    second vice president or he's --  
15          A     No, he's the second vice president.  
16          Q     But the title of first vice president --  
17          A     If Mr. Heston is out of the room doing an  
18    interview or something like that, the second vice  
19    president steps in and runs the board meeting in

20 absence of the LaPierre Dep president.  
21 Q Okay. And was Mr. Robinson as a board  
22 member and first vice president fully informed about

□

62

1 the general objectives of NRA with respect to the  
2 elections in 2000?

3 A Yes.

4 Q You attended a meeting in California in  
5 February with NRA members, correct?

6 A That's correct.

7 Q You're smiling, why?

8 A Because I have -- I know what you're going  
9 to ask me.

10 Q What am I going to ask you?

11 A You're probably going to ask me the  
12 comment that was all over the news that election  
13 year and was all over the campaign ads that were run  
14 during that election year talking about someone  
15 asking to comment about -- about President Bush; and  
16 he made a comment in terms of something about he  
17 would be working out of the White House or  
18 something.

19 Q You, the NRA, would be working out of the  
20 White House?

21 A Right. Right.

22 Q And that was run in an ad by one of your



□

63

1 opponents?

2 A Right. Right.

3 Q And you guys made a video of that meeting  
4 with -- that Mr. Robinson. And you spoke at that  
5 meeting also, didn't you?

6 A We didn't make a video of it. Someone in  
7 the room had a video camera --

8 Q Huh?

9 A -- and made a video of it.

10 Q And so some person purporting to be an NRA  
11 member made a video of it?

12 A That's correct. I think it was actually  
13 an NRA member.

14 Q How did that video get in the hands of  
15 Handgun Control?

16 A I think this person gave it to a friend.  
17 They gave it to a friend. They gave it to another  
18 friend. It went friend to friend to friend to the  
19 TV.

20 Q Huh. And have you ever seen a copy of  
21 that video?

22 A You know, I haven't. What I seen was the

1 clips that ran on TV.

2 Q The Handgun Control?

3 A I was at the meeting, so I didn't need to  
4 see a copy of the video. I remembered what  
5 happened.

6 Q So picking up on those comments, did --  
7 the meeting was with NRA members, correct?

8 A It was with NRA members; that's correct.

9 Q And it was in February -- I happen to know  
10 it was February 17th. But do you remember  
11 February 17th?

12 A I don't remember February 17th. But I  
13 remember it was early in that year.

14 Q Okay. And Mr. Robinson was there. You  
15 were there.

16 A Right.

17 Q Were other NRA officials there?

18 A There were other NRA staff people there.  
19 I don't remember any other NRA officials that were  
20 there.

21 Q Do you have a board member called Manny  
22 Fernandez?

LaPierre Dep

1 A Yes. He was there.  
2 Q Was he there?  
3 A Yes. And I think there were probably a  
4 couple of NRA board members who were there actually.  
5 Q People who happened to live in California?  
6 A Who happened to live in California. No  
7 other NRA officers were there.  
8 Q You flew from your headquarters in  
9 Virginia out to California for this meeting?  
10 A Yes.  
11 Q And Mr. Robinson lives in Iowa?  
12 A Des Moines, Iowa.  
13 Q And he flew from Iowa to this meeting?  
14 A Right.  
15 Q So did you regard this as an important  
16 meeting with certain NRA members in California?  
17 A Yes. It was a -- it was a general  
18 grassroots meeting that we had set up to talk about  
19 all NRA issues and with a lot of our grassroots  
20 activists in the State of California.  
21 Q Were your --  
22 A It wasn't specifically a political meeting

□

66

1 is what I'm saying. It was a meeting with our  
2 activists in California, our -- go ahead.  
3 Q I didn't mean to interrupt you.

LaPierre Dep

4 A No. It's okay.

5 Q And, please, if you -- you know, I have a  
6 tendency sometimes to do that. And if I do, instead  
7 of smiling, scowl, and I'll stop.

8 A No. It's okay. Me, too.

9 Q So were those activists in California  
10 upset in some way about the NRA?

11 A They -- they -- no, they weren't upset  
12 about the NRA. They were asking questions in terms  
13 of -- terms of candidate -- at the meeting, they  
14 were asking questions in terms of where candidate  
15 Governor Bush stood on the issue.

16 Q Now, did -- as you said, you had a good  
17 memory of the meeting.

18 A Right.

19 Q Did Mr. Robinson, before getting to the  
20 work in the White House comment --

21 A Right.

22 Q -- did he say in 2000 all three branches

□

67

1 of the federal government are at stake?

2 A I -- he may very well have. I don't  
3 remember him saying that, but he may have.

4 Q And that was, in fact, true, correct?

5 A Yes. I mean, the Congress was --

6 MR. COOPER: I'm sorry. Forgive me,  
Page 60

7 Fritz. But your question is whether or not he said  
8 it was true --

9 MR. SCHWARZ: No.

10 MR. COOPER: -- or whether or not the  
11 statement --

12 MR. SCHWARZ: If I wasn't clear --

13 MR. COOPER: I'll also remind the witness  
14 that he can only speak to his recollection.

15 BY MR. SCHWARZ:

16 Q Now, I'm asking you not about your  
17 recollection, but about what you understood at the  
18 time.

19 It was correct, was it not, that, in the  
20 year 2000 presidential election and congressional  
21 elections, all three branches were at stake,  
22 correct?

□

1 A That's correct.

2 Q Okay. Did Mr. Robinson say that there  
3 would be four, maybe five Justices of the Supreme  
4 Court appointed in the first term of the next  
5 President?

6 A I believe I remember him saying -- talking  
7 about judicial appointments. I don't remember the  
8 four or five, but I remember him talking about  
9 judicial appointments.

10 Q And by judicial appointments --

11 A To the Supreme Court.

12 Q To the Supreme Court.

13 A Right.

14 Q Did Mr. Robinson say that, if Gore is the  
15 President, every one of those Justices would be  
16 rabidly anti-gun?

17 A I think he did. Yes. I think I remember  
18 him saying that.

19 Q And --

20 A Yes I do remember him saying that.

21 Q Did Mr. Robinson say, if we win, we will  
22 have a Supreme Court that will back us to the hilt?

□

69

1 In words or substance, did he say that?

2 A He -- I don't remember him saying that,  
3 but he may have.

4 Q Okay. And now coming to the --

5 A Right.

6 Q -- item about which you smiled.

7 A Right.

8 Q Did Mr. Robinson say, and if we win, we'll  
9 have a President that -- at least one of the people  
10 that's running, a President where we work out of  
11 their office and enjoy unbelievably friendly  
12 relations?

LaPierre Dep

13 A I do remember him saying that.

14 Q Okay. And that was a reference to George  
15 Bush, correct?

16 A It was a reference to George Bush.

17 Q Okay. And you joined in the applause for  
18 Mr. Robinson's remarks that I just quoted, didn't  
19 you?

20 A I may have.

21 Q Do you have any reason to doubt that you  
22 did?

□

70

1 A I remember -- if I applauded, I remember  
2 also going hmm.

3 Q Saying maybe, hmm, maybe he shouldn't have  
4 put it that way?

5 A Yeah. Because what I said on ABC the week  
6 after when ABC asked me about it, I said it's  
7 ridiculous. I said we're not going to have an  
8 office in the White House. I said that's just  
9 ridiculous.

10 I said what a -- what he -- what he was  
11 saying was that we've lived through 8 years of  
12 Clinton and Gore actually running the anti-gun  
13 movement out of the White House, and that, if  
14 President Bush won, 80 million gun owners would have  
15 our point of view considered. And that's what I

LaPierre Dep

16 said on ABC.

17 Q Much more felicitous.

18 A That's the way I would have said that.

19 Q You didn't say that right after the  
20 meeting, did you? You didn't say that until those  
21 remarks were publicized --

22 A Right.

□

71

1 Q -- 2-and-a-half months after the meeting  
2 occurred?

3 A Yeah. I don't think I said -- the point  
4 he was trying to make at the meeting, and I would  
5 have not have chosen those words, was that these  
6 people did not believe President Bush was very good  
7 on the firearms issue or had positions that were pro  
8 second amendment. And he was trying to convince the  
9 room that they did -- that he did, and he overstated  
10 it.

11 Q But between the time that Mr. Robinson  
12 made the remarks on February 17th --

13 A Right.

14 Q -- and when they were made public in May,  
15 you never -- did you tell Mr. Robinson that, you  
16 know -- what do you call him, Mr. Robinson or --  
17 what is his first name, Kayne?

18 A Kayne or chief.



LaPierre Dep

19 Q What do you call him, Kayne or chief?

20 A I call him Kayne. Some people call him  
21 chief because he's the former deputy chief out in  
22 Iowa. I call him Kayne.

□

72

1 Q Did you say, Kayne, that was a stupid  
2 comment that you made?

3 A We did have some discussions about it.  
4 And people -- as in politics, when somebody says  
5 something that is not probably the most  
6 appropriate -- not the most appropriate way to put  
7 it, you have discussions about it. And we had some  
8 discussions about it.

9 Q And did you have those discussions at the  
10 meeting with him?

11 A I didn't have discussions at the meeting.  
12 We had -- I had discussions after the meeting.

13 Q After the meeting and before it came out  
14 in the TV, in the newspapers?

15 A Yeah. We talked about it.

16 Q Okay. So -- but in any event, whether  
17 he -- whether he expressed himself felicitously or  
18 not, he was expressing the view of the NRA, which  
19 was in support of their objective that it would be  
20 desirable to have Bush elected and desirable to have  
21 Gore defeated, correct?

22 A That -- that is correct.

□

73

1 MR. SCHWARZ: Okay. Can we mark as  
2 LaPierre Exhibit 2 an article from the Washington  
3 Post on May 4th, 2000 that discusses this meeting.

4 (LaPierre Exhibit 2 identified.)

5 BY MR. SCHWARZ:

6 Q I just give that to you to refresh your  
7 recollection that it came out some time early in  
8 May.

9 A Uh-huh.

10 Q And I'm going to ask you a couple more  
11 questions about what was said at the -- did you read  
12 this article when it came out, by the way?

13 A Yeah. I think I remember reading it.

14 Q And did you ever say to the post or anyone  
15 else that anything in the article was inaccurate?

16 A I -- I think I said to everyone when they  
17 asked me about it -- and I haven't had a chance to  
18 read this whole thing again, but from the very  
19 start, I said -- any media person that asked me  
20 about it -- that's ridiculous. I said of course  
21 we're not going to have an office in the white  
22 House.

1 I said -- I said -- and what I said  
2 earlier -- I said, well, what he was saying is  
3 after -- after -- I mean, my gosh, they ran the  
4 Million Mom March out of the white House. I said I  
5 would like to see a log as to how many times Anger  
6 Control and Million Mom March organizers passed  
7 through the gates.

8 I said, what he was saying was -- is, if  
9 President Bush was elected, 90 million gun owners  
10 will have their viewpoint considered. Will they  
11 always agree with us? No. I've been around this  
12 town long enough to know that that just doesn't  
13 happen. Will they consider our viewpoint? Do I  
14 believe that? Yes. Will they be more favorable  
15 towards our issue? Absolutely. I think that's what  
16 I said.

17 Q But did you -- to make the question more  
18 precise --

19 A Right.

20 Q -- ever say to anyone that anything  
21 reported in the -- as to the words that were used at  
22 the meeting in California or in February of 2000,

1 that any of those words as reported in direct quotes  
2 by the Washington Post were inaccurate?

3 A Well, yeah. I mean, I said -- I said to  
4 everyone that NRA is obviously not going to have an  
5 office in the White House.

6 Q It's a little different question,  
7 Mr. LaPierre.

8 A I'm sorry. Go ahead.

9 Q That's your interpretation or your  
10 suggestion that it was a foolish way to put the  
11 point.

12 A Right.

13 Q My question is a little different. There  
14 are a number of quotes in here --

15 A Right.

16 Q -- from Mr. Robinson and from you.

17 A Right.

18 Q And did you ever say to anybody that any  
19 of those statements that were in quotes were not  
20 made at the February meeting?

21 A No. I don't think I would have said that  
22 because I mean -- Kayne Robinson did say that at the

□

1 meeting. It's just that sometimes people say stuff

LaPierre Dep

2 that is an exaggeration. And that's what that  
3 clearly was. I mean, I didn't try to deny -- I  
4 don't remember trying to deny ever that he actually  
5 said that.

6 Q Or that the other things that are quoted  
7 in here -- you never denied that the other things  
8 that are quoted in here were said?

9 A Let me --

10 Q If you want to read the article -- which  
11 you're obviously entitled to do.

12 A (Witness reviewing document.)

13 MR. COOPER: There's no time rush on this,  
14 Mr. LaPierre. You can take whatever time you need  
15 to familiarize yourself again with that article.

16 THE WITNESS: Okay. I read it.

17 BY MR. SCHWARZ:

18 Q Okay. Now, the question was not would you  
19 have put certain remarks made the same way, but the  
20 question is: Did you ever express to anybody that  
21 there's anything quoted in that article from the  
22 February 17 meeting that you said was inaccurate?

□

77

1 A I'm sure that the reporter asked me about  
2 Kayne's quote. And I'm sure I said that was  
3 ridiculous and inaccurate. I mean, you know, when  
4 you write an article, 5 percent of what you tell the

LaPierre Dep  
5 reporter ends up making the article.

6 Q But there is a -- sorry.

7 A But, I mean, I'm sure that because I told  
8 everybody that that was ridiculous -- I don't know  
9 what you're driving at.

10 Q Okay. There are a number of -- let me do  
11 it a different way. I've already put to you some  
12 quotes from Mr. Robinson. And you said those were  
13 said and you remember them being said.

14 A Right.

15 Q Now, I'll put a couple of other quotes  
16 from Mr. Robinson. And you can find these either  
17 from my mouth or --

18 A Right.

19 Q -- or the next one I'm going to do is the  
20 penultimate paragraph on the second page. It  
21 starts, "Robinson also said." Do you see that?

22 A Got it.

□

78

1 Q And just to read that to you, "Robinson  
2 also said that if the GOP loses its razor-thin  
3 control of the House, it will seriously injure the  
4 NRA" folks. "'Every one of those --

5 A Right.

6 Q -- [now-friendly] --

7 A Right.

LaPierre Dep

8 Q -- committees could be run by people that  
9 not only dislike us, but hate us,' he said."  
10 A Right.  
11 Q Was that said at the meeting in substance?  
12 A I'm sure it probably was. And I'm sure  
13 that I -- I -- if somebody asked me about it, I  
14 would probably -- I would have said that's true. If  
15 you look at the people in line for the committee  
16 chairs, I mean, they're not favorable to the NRA.  
17 Q Yeah, and, indeed, you're quoted as -- or  
18 it says that you said --  
19 A Right.  
20 Q -- if you turn to the third page --  
21 A Right.  
22 Q -- the first, second, third, fourth, fifth

□

79

1 paragraph, it starts, "At the Los Angeles meeting."  
2 A Okay.  
3 Q I'll read it into the record. "At the Los  
4 Angeles meeting, LaPierre expressed confidence that  
5 the GOP-led Congress will do what the NRA wants --  
6 even though the group briefly stumbled last year."  
7 Did you in substance say that at the  
8 meeting?  
9 A Probably not in those words. That looks  
10 like a reporter taking my words and -- but I think

LaPierre Dep

11 I -- I mean, it's -- I mean, it -- it's common sense  
12 given what Clinton and Gore were trying to do and  
13 what they've done with the Democratic Party at that  
14 time, that the GOP was much more favorable to -- as  
15 a whole, to the NRA's interest than the Democratic  
16 Party as a whole.

17 Although, there were certain Democrats  
18 that were always very, very good on NRA issues and  
19 continue to be good on NRA issues. But if you're a  
20 believer in the cause, and in terms of the NRA  
21 standing for the cause, the GOP-led Congress has  
22 been more favorable to what we want.

□

80

1 Q Now, you said a reporter interpreted  
2 something. There was no reporter at the meeting in  
3 Los Angeles, was there, the meeting in California in  
4 February 17th, was there?

5 A Well, there is a reporter that wrote the  
6 article.

7 Q And wasn't the article written based on  
8 that reporter having a chance to see the tape  
9 recording of the meeting?

10 A I don't know that, but I think you're  
11 probably right. But he himself obviously talked to  
12 me because he has direct quotes from me in here, in  
13 the article.



LaPierre Dep

14 Q Yeah, but not about the -- as to what  
15 happened at the meeting. The reporter did -- wasn't  
16 there as far as you know, correct?

17 A No. The reporter was -- I do not believe  
18 the reporter was at the meeting.

19 Q Okay. And your belief is that the  
20 reporter looked at the -- a tape of the meeting,  
21 correct?

22 A Based on this story, I think that's

□

81

1 probably true.

2 Q Okay. By the way, is the statement at the  
3 top of page 2 that -- which refers to donations of  
4 soft money and says certain amounts were given to  
5 the Republicans in '99 and 2000 and --

6 A Right.

7 Q -- '96 and '97, '98 --

8 A Right.

9 Q -- without forcing you to agree to those  
10 precise amounts --

11 A Right.

12 Q -- is the thrust of that paragraph  
13 correct --

14 A Right.

15 Q -- which is that the NRA has given soft  
16 money to the Republican Party in the year since

17 '96 --

18 A Right.

19 Q -- and has donated no soft money to the  
20 Democrats in all those years?

21 A I believe that the -- at the national  
22 level with the Democratic Party and the Republican

□

82

1 Party, that's true. I -- I -- we may very well have  
2 given money to other Democratic groups that are not  
3 specifically national Democratic Party groups. We  
4 used to give to both.

5 And when Clinton-Gore took over the  
6 mechanism of the Democratic Congressional Campaign  
7 Committee, the Senate Campaign Committee, the House  
8 Committee and the Democratic National Committee, and  
9 basically turned all of those into anti-NRA groups,  
10 we stopped donating to those specific organizations;  
11 although, I believe we've given money to other  
12 Democratic organizations that are not specifically  
13 connected to the national structure.

14 Q Democratic organizations or Democratic  
15 candidates?

16 A I -- I would have to check it, but I  
17 believe both. Democratic Attorney Generals groups,  
18 Democratic Governor's groups, Democratic -- we may  
19 have even given some money to the Democratic

20 Leadership Council. I would have to check that.

21 I'm not sure.

22 Q But in your mind, none of those were soft

□

83

1 money donations to, when you say Democratic  
2 national, you mean, A, the presidential and, B, the  
3 congressional?

4 A Yeah. I mean, what happened when  
5 President Clinton was elected is the -- the -- the  
6 structure, the mechanism of the Democratic Senate  
7 Committee and the Democratic Congressional Committee  
8 and the Democratic Campaign Committee as a whole  
9 became completely anti-NRA. I mean, they would  
10 mention NRA in their fund-raisers. They would bash  
11 the NRA in their fund-raisers.

12 And we -- I never thought it was a good  
13 idea because there are Democrats all over the  
14 country that agree with the NRA on this issue. I  
15 always thought it was a lousy political strategy,  
16 but, yet, for whatever -- that was their strategy.  
17 And so when they would call us up or send us an  
18 invitation asking us for money, we were like, no,  
19 we're not going to do a donation this time.

20 Q And you did give soft money donations to  
21 the Republican --

22 A I did.

□

1 Q -- National Committee and the Republican  
2 Senatorial and whatever they are called --

3 A We did.

4 Q -- House committees?

5 A Yes. And those figures, I think, are  
6 probably accurate.

7 Q Okay. Did they come from NRA, those  
8 figures? Because they're very precise.

9 A I think they're a combination. I think  
10 some of them came from NRA and some of them came  
11 from ILA.

12 Q But one way or another, it came from an  
13 NRA entity?

14 A That's correct. That's correct.

15 Q Now, we've agreed that you had in the year  
16 2000 --

17 A Right.

18 Q -- no more important political objective  
19 than helping to assure George Bush to get elected  
20 and helping to assure Al Gore was defeated, correct?

21 A That's helping to defeat Al Gore, and  
22 George Bush needed to get elected for that to

1 happen.

2 Q So the main thing was to defeat Al Gore,  
3 but the consequence of that is that Bush needed to  
4 be elected?

5 A Yeah. I mean, keep in mind, the way we're  
6 structured, if Al Gore had been pro second amendment  
7 as he was when he ran for governor -- for Senate in  
8 Tennessee, NRA would have backed him. I mean, we  
9 are -- or stayed out of the race.

10 what I'm trying to say is we don't do it  
11 by political party. We do it based on a candidate's  
12 position on the issues. And we had backed Al Gore  
13 every -- when he ran for the Senate down in -- down  
14 in Tennessee, we had sent out some stuff talking  
15 about how he was good on the issue and things like  
16 that. And that changed when he was on the ticket  
17 with President Clinton.

18 Q Okay. So in any event, just to make it a  
19 simple proposition --

20 A Right.

21 Q -- we're in agreement that there was no  
22 more important objective for the NRA in 2000 than

LaPierre Dep

1 helping to assure Al Gore be defeated?

2 MR. COOPER: I think your earlier  
3 question, if I recall it, if you're attempting to  
4 restate it, was no more important political  
5 objective.

6 MR. SCHWARZ: That's fair, because he said  
7 they worried about gun safety and education of  
8 children and so forth. Let me --

9 THE WITNESS: Yeah, political objective,  
10 yes, that's true. If you talk to our safety  
11 people -- the only reason I mention it is our safety  
12 people always say to me, wait a minute. What we do  
13 is just as important. I mean, it's just --

14 BY MR. SCHWARZ:

15 Q Okay. But thank you, Chuck, for  
16 correcting me.

17 You had -- you and NRA had no more  
18 important objective -- political objective in the  
19 year 2000 than helping to assure that Al Gore would  
20 be defeated, correct?

21 A That is correct.

22 Q Now, between September of 2000 --

□

87

1 A Uh-huh --

2 Q -- and the federal election in November --

3 A Right.

LaPierre Dep

4 Q -- did both NRA and its PAC run broadcast  
5 advertisements that mentioned Al Gore?

6 A That's correct.

7 Q And in those advertisements, is it  
8 correct -- is it also correct that every one of  
9 those advertisements was designed in part as part of  
10 NRA's -- strike the question. I want to do it  
11 differently.

12 Is it correct that every one of those  
13 advertisements after the -- I'm garbling my words  
14 here. Let me start again.

15 Every one of the advertisements that NRA  
16 and its PAC ran starting in September that mentioned  
17 Al Gore and were run on television or radio was  
18 designed as part of NRA's effort to try to help  
19 assure that Al Gore was not elected as President; is  
20 that correct or not?

21 A The NRA advertising was designed  
22 specifically to respond to the -- to the broad

□

88

1 cultural attack that Al Gore and President Clinton  
2 were doing on the National Rifle Association. They  
3 had made a decision. The democratic consultants all  
4 tell us early on in the Presidency and particularly  
5 coming out of the '94 election to center stage the  
6 debate on firearms for the 2000 election.

LaPierre Dep

7           And as a part of that, we were in an  
8 ongoing battle for the culture of this country. And  
9 that's when we -- and for the minds and hearts of  
10 America.

11           That's when we started the infomercial.  
12 There was a subtext of that that was the election.  
13 But the broader framework that started on the NRA  
14 side was within this broad cultural attack that Bill  
15 Clinton and Al Gore were doing on firearms, the  
16 second amendment, NRA by name, and trying to  
17 demonize the very word the National Rifle  
18 Association to America.

19           And we made a decision early on, we're  
20 not -- the media companies are biased. They are on  
21 board with that strategy. And they -- and we're  
22 going to fight back. And we fought back through

□

89

1 infomercials because we -- if you can't buy time and  
2 you can't put your case on the airways in the 21st  
3 century, America, you're a whisper in the wind. And  
4 we had to do it, and we did it.

5           Q    Okay. So you've told us something about  
6 this cultural war.

7           A    Right.

8           Q    But let me repeat the question to you.

9           A    Uh-huh.



LaPierre Dep

10 Q Is it not a fact --

11 A Right.

12 Q -- that every ad you ran --

13 A Right.

14 Q -- starting in September of 2000 that  
15 mentions Al Gore was, in part, intended to help  
16 defeat Gore from being elected as President?

17 A Give me the month.

18 Q Yes or no. Starting in September.

19 A That may have been one byproduct of it.  
20 But it was also to respond back to this vicious  
21 attack that Al Gore and Bill Clinton were doing on  
22 the NRA. And to get our side of the political

□

90

1 debate out there.

2 I mean, if I -- if we let these guys, Al  
3 Gore and President Clinton, demonize the name NRA,  
4 up leading -- leading up to an election cycle, which  
5 is what they were trying to do, I mean, America was  
6 going to be against us.

7 we were fighting a battle against the  
8 aggressor, Al Gore and Bill Clinton. We were also  
9 fighting for the hearts and minds of the country.  
10 And we were also fighting that it continue. It  
11 started before election. It started 2 years,  
12 3 years out from the '90 -- from the 2000 election.

13 That battle for the hearts and minds continued right  
14 up until election day and continues after election  
15 day.

16 Q And that battle --

17 A You're trying to put it only in an  
18 election format. I'm not denying the election  
19 impact of arguing for the hearts and minds of  
20 America. But it goes way beyond that.

21 Q Okay. And that would be true for your PAC  
22 ads, too. Your PAC ads were intended to also

□

91

1 develop those, as you put them, cultural points,  
2 weren't they?

3 A Well, they were, but the PAC ads were more  
4 specifically -- they would develop the cultural  
5 points, develop the discussion of the issue. But  
6 also, specifically, the PAC ads said vote against Al  
7 Gore.

8 Q Yeah, but that comes at what, in the last  
9 2 seconds of a PAC ad? They don't say vote against  
10 Al Gore actually?

11 A Whatever they say. It's usually a tag  
12 line. Did they say -- one or the other. I don't  
13 know which they said. They may have said both even.

14 Q I'll take that. Frankly, the only ones  
15 I've seen or heard say vote for Bush after spending

LaPierre Dep

16 a lot of time about Gore. But if you say they said  
17 vote against Gore instead of vote for Bush, I'll  
18 take it either way.

19 A They may. Probably.

20 Q My question is a little different. It's  
21 only the last 2 seconds of the PAC ad --

22 A Right.

□

92

1 Q -- that say vote for somebody --

2 A Right.

3 Q -- or vote against somebody, right?

4 A Most of the time, that's the tag line on  
5 the PAC ads; that's true. And you tag it at the  
6 end.

7 Q Let's see it as a 60-second ad. That  
8 means you've got 58 seconds to deliver a message,  
9 right?

10 A That's correct.

11 Q And the message that your PAC ads were  
12 trying to deliver --

13 A Right.

14 Q -- to use your term, cultural war --

15 A Right.

16 Q -- were every bit as much about the  
17 cultural war as the NRA ads that you've been talking  
18 about, correct?



22 of the Million Mom March, if you look at the media

□

94

1 coverage of President Clinton, everything, every  
2 time we turned on the TV set, he's bashing us. And  
3 the power that comes with that Presidency, you look  
4 at the amount of coverage the media companies put in  
5 to bashing us, it took every dollar we had just to  
6 get our side of the story out there.

7 Q Now --

8 A And that's the way we look at it.

9 Q Okay.

10 A And was it enough? Yeah. It -- I think  
11 it was enough that America sided with us. If you  
12 talk to the Democratic consultants, Jim Carville  
13 said the other night the gun issue is a political  
14 loser for Democrats. Terry McCollough is telling  
15 people it's a political loser for Democrats. Why  
16 are they saying that? Because of what happened in  
17 2000. And --

18 Q So I'm not now talking about what Bill  
19 Clinton said --

20 A Right.

21 Q -- what Terry McCollough said --

22 A Right.

1 Q -- what Mr. Carville said. I'm talking  
2 about what you said.

3 A Right.

4 Q Now, did you say that NRA spent what it  
5 took to defeat Al Gore in 2000?

6 A I may very well, because as a whole,  
7 that's what we were trying to do. I mean, NRA-ILA,  
8 NRA, we -- I mean, I said earlier, we -- the  
9 election -- the defeat of Al Gore was one of the  
10 main political objectives of the NRA.

11 But the only thing I take issue with is  
12 everything NRA did, I would also say, is we defended  
13 the culture of people in this country that believed  
14 in the second amendment, believed in hunting,  
15 believed they had a right to own a firearm.

16 And that culture was under attack also.  
17 And so there was the Gore issue, but there was also  
18 the broader cultural issue of the second amendment  
19 that was under terrible attack by the Clinton-Gore  
20 presidential operation.

21 And not only did NRA as a political  
22 objective want to -- want to defeat Al Gore, we

1 wanted to protect the culture. And I'm proud of the  
2 fact and NRA is proud of the fact that we defended  
3 the culture and the good name of the culture against  
4 that vicious attack.

5 Q Okay. Now, your answers are getting  
6 longer as the --

7 A well, but it's a long issue.

8 Q It's fair. But now I want you to answer  
9 something very precisely, if you can. Did you say  
10 that NRA spent what it took to defeat Al Gore in  
11 2000?

12 A I don't remember saying it. But I -- I  
13 may very well have, because I -- I mean, there's not  
14 a gun owner in the country that wouldn't hope NRA  
15 would do that. And I probably said that somewhere.

16 Q Okay.

17 A I mean, I would hope we would.

18 Q Did you say that, in 2000, you spent --  
19 you spent millions more than NRA had on hand -- had  
20 on hand?

21 A We did.

22 Q Okay. And that's a fact?

□

1 A Yes.

2           Q           LaPierre Dep  
And that was spent in order to defeat Al  
3 Gore?

4           A           It was in this 2-year cultural attack of  
5 President Clinton and Al Gore trying to destroy the  
6 second amendment. And the election was part of that  
7 cultural war context.

8           MR. SCHWARZ: Okay. So could we mark as  
9 LaPierre Exhibit 3 a letter from Mr. LaPierre to NRA  
10 members. And the exact name is blacked out. And if  
11 it hadn't been, I wouldn't have used it anyway.

12                   (LaPierre Exhibit 3 identified.)

13           MR. SCHWARZ: Can we go off the record for  
14 a minute.

15                   (Discussion off the record.)

16           BY MR. SCHWARZ:

17           Q           Mr. LaPierre, did you send this letter to  
18 NRA members?

19           A           I did.

20           Q           Okay. And when you send those letters, do  
21 you believe you say anything that's untrue in them?

22           A           No, I don't.

□

98

1           Q           Okay. So you said at the bottom of the  
2 second page -- the third page, which is NRA 2575, "I  
3 spent what it took to defeat Al Gore, which amounted  
4 to millions more than we had on hand."



LaPierre Dep

5 A Right.

6 MR. COOPER: Where on the page is that?

7 MR. SCHWARZ: It's just near the bottom,  
8 Chuck, about four lines up.

9 MR. GILLIGAN: Second paragraph from the  
10 bottom.

11 MR. COOPER: Thank you.

12 BY MR. SCHWARZ:

13 Q So that was a true statement,  
14 Mr. LaPierre?

15 A That's true. Within the cultural context  
16 that we were fighting the battle, we spent what it  
17 took to defeat Al Gore and hold our own in terms of  
18 the cultural debate.

19 Q But to answer my question precisely --

20 A Right.

21 Q -- that statement was true, yes or no?

22 A Yes. Did NRA spend -- yeah. I mean,

□

99

1 it -- as I've said, I mean, we're proud of the fact  
2 that we held our own.

3 Q Okay. And so the answer to my question is  
4 that statement is true; is that correct,  
5 Mr. LaPierre?

6 A It's true within the context of the -- or  
7 the NRA as a whole spent what it could to hold the

LaPierre Dep

8 line on this issue and to get out the words. And --  
9 and that resulted in the defeat of Al Gore. Most  
10 people think it probably did.

11 Q But, Mr. LaPierre, you know, you have to  
12 eventually answer my questions with a yes or no. Is  
13 it true, yes or no, that you spent, "spent what it  
14 took to defeat Al Gore, which amounted to millions  
15 more than we had on hand"?

16 A That is true if you look at the cultural  
17 attack NRA was under. We spent millions more than  
18 we had on hand to fight Al Gore and President  
19 Clinton in that cultural attack. I mean, and that's  
20 what I'm talking about.

21 Q Yeah, but --

22 A You're trying to make it only elections.

□

100

1 It wasn't elections. It was also the air. And the  
2 air had a big impact on the election.

3 Q Go ahead.

4 A And that's why NRA spent money on the  
5 infomercials was to make sure that the air that  
6 people breathe wasn't only anti-NRA, which is what  
7 Al Gore and Bill Clinton were trying to put out  
8 there. That's the context.

9 Q This sentence is not only about  
10 infomercials, is it? It's about infomercials and

11 spot ads, both on television and radio, correct?

12 A I think it's probably about the overall  
13 everything.

14 Q I'm going to ask you the last time to see  
15 if you're willing to give me a yes or no answer. Is  
16 it true, yes or no, that you spent millions more  
17 than we had on hand to fight Al Gore?

18 A Did ILA spend what it took to defeat Al  
19 Gore, yes, hopefully, they did. Did the PAC -- did  
20 NRA spend what it could to -- for the air and for  
21 the culture that had -- that hopefully contributed  
22 to that? Yes. Probably.

□

101

1 Q This sentence is in no way limited to ILA,  
2 is it?

3 A No, I don't think it is.

4 Q It includes regular NRA, correct?

5 A Correct.

6 Q Is it true that regular NRA "spent what it  
7 took to defeat Al Gore"?

8 A If you include the culture of the country,  
9 yes. Al Gore was trying to change the culture of  
10 the country. We prevented him from doing it. That  
11 was the battle. It wasn't only an election battle.  
12 All these politicians think of this stuff only in  
13 election terms. And it's like -- it's like they're

LaPierre Dep

14 30 years out of date.

15           The fact is this is about the air. It's  
16 about the airwaves. It's about the hearts and minds  
17 of America. And that's where the battle is being  
18 fought. And they're not willing to concede that.  
19 Yet we live it every day.

20           So I'm not willing to concede the point  
21 that this was only about the elections, because the  
22 elections were about the air. And the air is what

□

102

1 we were fighting for, that people breathe. we  
2 didn't want it to be only anti-firearm second  
3 amendment air, which is what they were trying to put  
4 out there.

5           Q    You don't deny you said the words that  
6 I've quoted several times?

7           A    No, I don't.

8           Q    You don't deny that, when you said those  
9 words, you were attempting to tell the truth, do  
10 you?

11          A    I was telling the truth.

12          Q    Okay.

13          A    But it was in the -- but you're looking at  
14 it only from a narrow point of view. And the point  
15 goes way beyond that.

16          Q    Now, this was a letter sent to NRA

17 members, correct?

18 A It was.

19 Q And the PVF has its own fund-raising  
20 letters, does it not?

21 A That's correct.

22 Q So you were directing this to NRA members,

□

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1 not directing to PVF members?

2 A That's -- well, I was directing it to  
3 both.

4 Q Okay.

5 A I think this probably went to some PVF  
6 donors, also.

7 Q Well, because they happened to be NRA  
8 members.

9 A NRA members, also, correct.

10 Q But you directed it to NRA members,  
11 correct?

12 A That's correct.

13 Q Who wrote this letter?

14 A I wrote it in conjunction with our  
15 fund-raising firm that we use.

16 Q And which of your firms do you use?

17 A This would have been done by PM  
18 Consulting.

19 Q PM Consulting?

20 A LaPierre Dep  
PM Consulting.  
21 Q And --  
22 A They do a lot.

□

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1 Q And what does PM stand for?  
2 A I don't know. I've always known them as  
3 PM.  
4 Q Are they connected with Ackerman McQueen?  
5 A No, they're not. They're a direct mail  
6 firm.  
7 Q Okay.  
8 A They don't do media, electronic media.  
9 They do only print.  
10 Q Okay. And print to members or --  
11 A That's correct.  
12 Q -- or potential financial supporters?  
13 A That's correct.  
14 Q And what's your process? Do they do a  
15 draft? Do you do a draft?  
16 A We go back and forth. I mean, they come  
17 up with stuff and suggest it. We come up with stuff  
18 and suggest it. We go back and forth. And after  
19 about 25 times of going back and forth, you end up  
20 with a letter everybody agrees on.  
21 Q So it's an extensive and intensive process  
22 that you follow to try and make your --

□

105

1 A That's correct.

2 Q -- fund-raising letters as accurate and as  
3 effective as possible, correct?

4 A With a lot of people getting a shot at it.

5 Q Okay. Is it correct that the NRA spent as  
6 much as it could to get its message to gun owning  
7 voters in critical swing states?

8 A That's true.

9 Q Did NRA actually spend money that it --  
10 well, you say here that you spent money that you  
11 didn't have. Does that mean you borrowed money  
12 or --

13 A We ended up taking -- we didn't borrow  
14 money. We took some money out of the reserves to  
15 cover the deficit that NRA had at the end of the  
16 2000 year.

17 Q And the deficit which was caused by the  
18 amounts it spent on these advertisements?

19 A It was caused by -- that was -- that was  
20 part of it. That was probably the main -- the main  
21 contributing factor.

22 Q So NRA, like most good nonprofits, has

1 reserves; and they're designed to allow you to deal  
2 with matters of emergency importance. That's their  
3 very purpose, correct?

4 A That's correct.

5 Q And you have some fund with some name that  
6 you drew on to cover the extra costs for these  
7 battles, without using an adjective in front of the  
8 word "battles"?

9 A That is correct.

10 Q And how much did you have to take out of  
11 the reserve?

12 A I think we took about -- I think it was  
13 probably -- I think it was about 5 million.

14 Q Okay. And was that used to cover only NRA  
15 expenses or both NRA and PVF expenses?

16 A No. None of it was used on PVF. It was  
17 used to cover -- to cover -- the PVF lives entirely  
18 on what it can raise, all of the money being  
19 specifically donated for political election  
20 purposes.

21 The NRA -- it was -- it was -- it was for  
22 a deficit on the NRA side that was used.



LaPierre Dep

1 Q Okay. So if I put -- if I put your  
2 language together in those two parts of -- let's  
3 just see this here.

4 Now, you said at the bottom of page 2575,  
5 "I spent what it took to defeat Al Gore, which  
6 amounted to millions more than we had on hand."

7 If I change that sentence to say, I spent  
8 what it took to defeat Al Gore, which amounted to  
9 approximately \$5 million more than we had on hand,  
10 would that be an accurate statement?

11 A NRA does a lot of things. I mean, the NRA  
12 side in general ended up with a deficit. It -- why  
13 we ended up with that deficit was largely because of  
14 the fact that we had this cultural war battle going  
15 on with Al Gore what -- where we were defending the  
16 culture. And we took money out of NRA reserves in  
17 that battle to defend the culture and -- and -- and  
18 in the battle directly with Al Gore.

19 I mean, it -- by buying infomercials to  
20 tell our side of the story in terms of what was  
21 going on in England, what was going on in Canada,  
22 what was going on in Australia, what was going on

□

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1 with Al Gore, and what was going on in the states  
2 with Al Gore. And -- but, yeah, I mean, we used --  
3 we used some money in NRA reserves for that. And

LaPierre Dep

4 that was probably the reason we had the deficit.

5 Q Yeah, and you said --

6 A That was the reason you had the deficit.

7 Q It was. Because earlier you said it was  
8 almost the entire reason for the deficit, correct?

9 A I think that's -- that broad attack that  
10 Al Gore and Bill Clinton were doing on us was the  
11 reason for the deficit.

12 Q Okay. Now --

13 A I mean, when you turn on to the Today Show  
14 and you have the President of the United States  
15 saying there is no crime in Europe because there is  
16 no NRA in Europe, I mean, you better be prepared.

17 Q So now, Mr. LaPierre, I want to use the  
18 words you used to your members. And you said these  
19 were words that you devised along with your PM  
20 advisor, and that you believed that these were true  
21 words.

22 A Right.

□

109

1 Q All that's correct, right?

2 A Yeah. I believe these are true words.

3 Q So reading the true words that you  
4 devised, they say, "I spent what it took to defeat  
5 Al Gore, which amounted to," and now I'm going to  
6 put the in the number 5 million --

LaPierre Dep

7 A Right.

8 Q -- which amounted to approximately  
9 5 million "more than we had on hand." Was that a  
10 true statement? Yes or no?

11 A On the cultural front, yeah. But that is  
12 not -- that is not a vote for or against money.  
13 That is the cultural money that we used in terms of  
14 fighting the cultural battle with Al Gore.

15 Q But you call it cultural money. That is a  
16 label. And let's leave the labels aside. It was  
17 money spent to defeat Al Gore, correct?

18 A No. It was -- it was money --

19 Q That's what you said, isn't it,  
20 Mr. LaPierre?

21 A It was money spent to respond to the  
22 aggressor Al Gore in terms of our issue, to hold the

□

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1 aggressor accountable for his words. And the  
2 aggressor was Al Gore. And if that resulted in the  
3 fact that we responded back, and the public agreed  
4 with us, yes, that's good it resulted in the defeat  
5 of Al Gore. But it -- it just wasn't some campaign  
6 shot we did at Al Gore. We were under attack.

7 Q You're saying you had a motive.

8 A To defend our cultural.

9 Q You described the motive. But the -- it

LaPierre Dep

10 is true, is it not, that you spent what you could to  
11 defeat Al Gore, including more than \$5 million than  
12 you had on hand? Yes or no?

13 A To defeat Al Gore implies, not only an  
14 election context, but a cultural context, yes.

15 Q So any election, Mr. LaPierre, any  
16 election, is this true from your experience in  
17 politics -- and let's step away from the  
18 2000 election. Is it true from your experience in  
19 politics that you try to win any election by using  
20 an argument or using a fact that you think will help  
21 you win the election, correct?

22 A I think that's true.

□

111

1 Q Okay. And in this instance, you put the  
2 label cultural war on the argument or the facts that  
3 you're presenting. But --

4 A I'm using President Clinton's own words.

5 Q That's fine.

6 A Change the culture.

7 Q That's fine. So you put that label --

8 A Right.

9 Q -- on the subject matters that you present  
10 in the advertisements, correct? When I say subject  
11 matters, the advertisements, whether they're by NRA  
12 or by the PAC have a subject matter?

LaPierre Dep

13           A     Right.  They do.  
14           Q     Sometimes it's short; sometimes it's long,  
15  right?  
16           A     That's correct.  
17           Q     And you put -- and I have no problem with  
18  you putting on it the --  
19           A     Right.  
20           Q     -- the label cultural war.  
21           A     You mean I'm putting the label on it to  
22  speak in general terms?

□

112

1           Q     No.  I'm not saying that your ad says now  
2  the NRA is going to tell you what their position is  
3  on a cultural war.  
4           A     I understand.  
5           Q     So you, Mr. LaPierre, as a representative  
6  for NRA has put the label cultural on it.  
7           A     I have.  
8           Q     So now in the purpose of the election  
9  context, you're fighting the cultural war and using  
10  whatever arguments, whatever emotional points you  
11  can use, whatever factual points you can use, you're  
12  using those in order to ultimately persuade people  
13  that they ought to vote in a certain way.  Isn't  
14  that correct?  
15           A     Yes.  Except that's not the only -- the

LaPierre Dep

16 only end purpose. If they are able to change the  
17 culture and demonize the National Rifle Association,  
18 my programs are not going to be accepted anywhere,  
19 my safety training is not, my police programs.  
20 Americans aren't going to -- aren't going to -- are  
21 going to turn away from the organization. And,  
22 ultimately, they're not going to support the second

□

113

1 amendment.

2           So the first part is true. But so is the  
3 second part. It goes way beyond that. I mean,  
4 these guys on the Hill think of only of themselves.  
5 This debate goes way beyond them.

6           Q    But even people on the Hill, when they ran  
7 ads either for themselves or against someone else,  
8 try and tie that ad to some issue or emotional  
9 question or factual statement that they think will  
10 help them --

11           A    That's true.

12           Q    -- win the election or defeat their  
13 opponent.

14           A    That's true.

15           Q    So in that sense, if one generalizes, you,  
16 the NRA, were doing expect what in the general sense  
17 a political party or candidate does, correct?

18           A    That's correct.

LaPierre Dep

19 Q Okay. Now, we talked a little bit about  
20 what process you -- it's hot in here, isn't it?

21 (Discussion off the record.)

22 (Recess.)

□

114

1 BY MR. SCHWARZ:

2 Q So we talked a little bit about -- I asked  
3 you questions about what process you followed in  
4 order to decide on the Gore/Bush question. But with  
5 respect to which senators running for election in  
6 2000 that you decided to support or oppose, what  
7 process did you follow with NRA?

8 A The -- the process that would have been  
9 followed -- and keep in mind that I wasn't the PAC  
10 chairman.

11 Q I understand.

12 A But the process that would have been  
13 followed is NRA looks at voting records in Congress.  
14 They look at statements on the campaign trail. They  
15 look at -- they look at public statements of the  
16 candidates. They look at questionnaires. They  
17 listen to input from people in meetings. And they  
18 make a decision as to what is in the best interest  
19 of the cause to support or oppose a candidate.

20 We do it based, not on party, we do it  
21 based on position on the issue. And it's done by

22 the PAC and the PAC director ultimately.

□

115

1 Q You say you did it not on party --

2 A Uh-huh.

3 Q -- but with respect to broadcast  
4 advertisements --

5 A Right.

6 Q -- run by the PAC --

7 A Right.

8 Q -- in the 60 days before the federal  
9 election of 2000?

10 A Right.

11 Q The general election?

12 A Right.

13 Q I have not seen any that criticized a  
14 Republican or -- running for the Senate or for the  
15 House or asked somebody to vote for a Democrat.  
16 Now, can you think -- I'm not saying that you  
17 didn't --

18 A Right.

19 Q -- support Democrats in other ways. But  
20 with respect to any broadcast advertisements run in  
21 the 60 days before the general election, can you  
22 think of any that either supports a Republican or



1 opposes a Democrat?

2 MR. COOPER: And by broadcast  
3 advertisements, if I may offer this, you are  
4 referring to both radio and TV?

5 MR. SCHWARZ: Radio, TV and spot ads and  
6 infomercials.

7 MR. COOPER: Okay.

8 THE WITNESS: We have -- NRA has, if you  
9 look -- at over the years, NRA has always supported  
10 Democrats also and done in those campaigns where NRA  
11 makes an endorsement, done all kinds, the type of  
12 things NRA does, radio, TV, print, grassroots, all  
13 that for -- for those candidates.

14 The reason you're probably not seeing many  
15 Democrats within the last couple of years, although  
16 there are some, and particularly at the State  
17 legislative level, at the Governor's race level, the  
18 reason you're not seeing many at the national level  
19 is President Clinton and Vice President Gore  
20 literally dragged the whole Democratic Party over  
21 the cliff with them in terms of this issue.

22 I mean, there were Democrats that we have

1 always supported like Tom Foley, like Jack Brooks  
2 that ended up casting votes against us based on the  
3 fact that they felt like, even though they didn't  
4 agree with it deep down inside, that they couldn't  
5 cross their own President.

6 And that's why. And that's why. As I  
7 said earlier, they literally turned the democratic  
8 mechanism the Democratic National Committee against  
9 gun owners.

10 So, naturally, given what happened are --  
11 you would find more ads or most of our ads during  
12 that time period against the Democratic candidates  
13 that President Clinton and Al Gore talked into  
14 voting anti-gun or for the Republican candidates  
15 that were opposing them.

16 But the only reason it's that way is the  
17 end product of the strategy that President Clinton  
18 and Al Gore and their campaign consultants had in  
19 terms of positions -- this gun issue, where they  
20 positioned it. We didn't want it to go there. We  
21 prefer to be backing Democrats and Republicans.

22 Q But you -- you used some words like most

□

1 of and so forth.

LaPierre Dep

2 A Right.

3 Q And the question that triggered that long  
4 answer was --

5 A Right.

6 Q -- during the 60 days before the 2000  
7 election --

8 A Right.

9 Q -- did the NRA or the NRA PAC --

10 A Uh-huh.

11 Q -- run any broadcast advertisements that  
12 criticized a Republican or praised a Democrat?

13 A I would have -- I don't know -- I would  
14 have to go look at the specific races. The most  
15 important races to the NRA were races where, at that  
16 point, anti-firearms Democrats were -- were up for  
17 election.

18 And the other thing that makes an impact  
19 on what the NRA does is NRA -- NRA, in terms of its  
20 election efforts -- and when I say NRA, I'm  
21 including the whole organization -- tends to focus  
22 on competitive races.

□

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1 Q Yes.

2 A I'm sure that, if we had a chance to beat  
3 some Republicans that were opposed to firearms  
4 ownership, we would have done so, just as if we --

LaPierre Dep

5 there are some Democrats that we would like to have  
6 had an impact on also that I'm sure we did nothing  
7 in based on the fact they weren't in competitive  
8 races.

9 Q But you -- you remember when we talked  
10 about the February meeting that --

11 A Right.

12 Q -- that you spoke at and that Mr. Robinson  
13 spoke at?

14 A Uh-huh.

15 Q And you accepted the accuracy --

16 A Right.

17 Q -- at least in substance --

18 A Right.

19 Q -- of the statement by Mr. Robinson  
20 that --

21 A Right.

22 Q -- the NRA did not want the GOP --

□

120

1 A Right.

2 Q -- to lose its razor-thin control of the  
3 Congress, correct? And that was your sentiment,  
4 correct?

5 A That is true because of the fact that you  
6 look at who is in line for the committee chairs.  
7 They are mostly Democrats that are -- that are very

8 anti-firearms ownership. LaPierre Dep

9 On the other hand, we don't like being in  
10 that position, because we support a lot of Democrats  
11 and have always supported a lot of Democrats and  
12 like supporting a lot of Democrats.

13 It's only what -- I mean, I would say  
14 again, what really got us to where we are is this  
15 campaign strategy by the Clinton-Gore operation to  
16 turn the Democratic Party into an anti-second  
17 amendment party, which now is changing.  
18 Everybody -- everybody wants to get away from that  
19 now.

20 I mean, the topic you hear most on, which  
21 is Clinton, is gone. And Clinton is over. And now  
22 the Democrats are all -- many of them are saying

□

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1 they're pro second amendment now, and they want to  
2 work with the NRA and all that again.

3 Q But, actually, didn't Vice President Gore  
4 start in that direction during the 2000 campaign?

5 A He started on it -- funny I was just  
6 talking to the New York Times about this yesterday.  
7 He started on it -- what happened is, after waging  
8 this huge cultural war campaign against -- to  
9 demonize the NRA and to center stage the gun issue,  
10 everything else, my feeling is, about early August,

LaPierre Dep  
11 they figured out they made a terrible mistake. And  
12 their cultural strategy was backfiring horribly, and  
13 they wanted to get out of it.

14 That's why I think you saw in the New York  
15 Times about August 10th that the Gore -- after  
16 saying there is no second amendment and their  
17 Justice Department position applies only to the  
18 government, and calling us the most foul things you  
19 can imagine all over the national air waves,  
20 suddenly, they're saying Al Gore supports the second  
21 amendment.

22 Suddenly they have Tommy Lee Jones

□

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1 plinking with Al Gore at the Democratic National  
2 Convention. And even the campaign rallies that we  
3 were doing, Gore campaign was making these calls  
4 saying please relay to the crowd Al Gore is also pro  
5 firearms and supports the second amendment. I think  
6 they decided about August that, in this battle for  
7 the culture, they had lost it; and they wanted out.

8 Q August was -- you picked the date of  
9 August 10. Was that a convention speech or  
10 something?

11 A No, that's when the New York Times was  
12 running a big article on this. And I saw in the New  
13 York Times that they told the New York Times Al Gore

14 supported gun owners and supported the second  
15 amendment.

16 Q But you --

17 A And that was an indication to me that they  
18 figured it out that they made a terrible mistake.

19 Q Now, you, of course, continued to run your  
20 anti-Al Gore broadcast ads and infomercials --

21 A Sure.

22 Q -- after that occurred, didn't you?

□

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1 A Right.

2 Q And that was because you still wanted to  
3 defeat Al Gore, correct?

4 A NRA -- yeah. I mean -- I mean, after  
5 doing everything they could to demonize the name of  
6 the NRA and to turn all of America against us, yeah,  
7 it wasn't -- we sure didn't want to see Al Gore  
8 elected.

9 But we also wanted to continue -- we  
10 didn't believe for a minute they changed. I mean,  
11 if they had gotten reelected, they were just telling  
12 that for the voters. They were going to go right  
13 back to their true spots, which is what they had  
14 done for the last 8 years.

15 Q Okay. Now, I want to talk with you, you  
16 know -- have you ever been deposed before by the

17 way?

18 A Once.

19 Q And what was the context?

20 A It was on an NRA internal matter.

21 Q Okay. Some personnel question or --

22 A Yeah. It was on an NRA internal matter

□

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1 involving -- it had nothing to --

2 Q I don't need to know about it.

3 A It was -- yeah. Some member sued the NRA  
4 based on some internal matter.

5 Q And were -- I know there was some FEC,  
6 Federal Election Commission, proceeding that  
7 involved the NRA.

8 A I wasn't --

9 Q You didn't testify?

10 A No.

11 Q Okay.

12 A I did not.

13 Q Now, we've wandered about a little bit.

14 A Right.

15 Q But one of the things we talked about was  
16 objectives and your objective to --

17 A Right.

18 Q -- help assure Al Gore was defeated.

19 A And win the cultural struggle.



LaPierre Dep

20 Q You always added that. But you had both  
21 objectives, let's say; is that fair?

22 A That's fair, but the cultural battle, they

□

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1 started it. And this thing started long before the  
2 election. I mean, I'm walking down the street doing  
3 safety training education and all that stuff, and  
4 these guys jump me and hit us over the head with a  
5 baseball bat. And that's exactly what happened.

6 And, I mean, yeah, at that point, I wake  
7 up and go, we're not going to let them turn the  
8 whole country against us, which is what they're  
9 trying to do.

10 Q Okay. So I'm now going to go from  
11 objectives to strategy, the fundamental objective  
12 and then your strategy to achieve that objective.

13 Now, you did a number of things in the  
14 name of your objectives.

15 A Right.

16 Q You did print advertisements. You made  
17 speeches. You yourself made speeches. You wrote  
18 letters to members. You had articles in your  
19 magazine.

20 A Right.

21 Q You had articles in other magazines, I  
22 think.

□

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1           A     That's correct.  
2           Q     Okay. You -- and you ran broadcast --  
3           A     Right.  
4           Q     -- advertisements.  
5                     And that includes --  
6           A     Right.  
7           Q     -- spots and radio TV and infomercials.  
8           A     Right.  
9           Q     Okay. Now, in deciding upon where to -- I  
10          now want to focus on the broadcast advertisement  
11          part of all that --  
12          A     Okay.  
13          Q     -- all those weapons in your arsenal, if I  
14          may use that term --  
15          A     Actually --  
16          Q     -- which I hadn't intended what it sounded  
17          like.  
18          A     It's impossible to get through it.  
19          Q     Okay. Now, for the broadcast ad portion  
20          of your arsenal --  
21          A     Right.  
22          Q     -- who within NRA did you talk with? who

1 outside of NRA did you talk with in terms of  
2 political consultants or ad agencies or --

3 A Right.

4 Q -- anything else?

5 A I talked with the people that worked for  
6 the NRA and NRA staff. And I also talked -- if  
7 you're talking about me personally rather than me  
8 the NRA at this point?

9 Q I am.

10 A I'm talking with the ad agency Ackerman  
11 McQueen. I talked with our direct mail firm PM.  
12 And I talked with -- I don't know whether I talked  
13 with -- those are the people I talked with  
14 primarily.

15 Q Okay. And within NRA, you talked to in  
16 more recent years Mr. Baker and before that --

17 A Right.

18 Q -- Ms. Metaksa?

19 A That's correct.

20 Q And who else within NRA did you talk to in  
21 the broad sense about strategy matters on broadcast  
22 advertising?

LaPierre Dep

1 A Our public relations committee.

2 Q What is that?

3 A It's a committee of the board. I would  
4 inform them what we were doing. It's a committee of  
5 our board of directors.

6 I would -- the NRA staff, our ad agency,  
7 and that -- that's pretty much it in terms of what I  
8 did personally.

9 Q Okay. Now, other than what you did  
10 personally, what else are you aware of was done  
11 within NRA, including the ILA PAC wing of NRA?

12 A I think ILA had other people that advised  
13 them. One of them was provided this ad that you  
14 showed me earlier. Edmonds -- this ad right here.

15 Q Yeah. Okay.

16 A I don't know who else they talked to. I  
17 mean, that -- that primarily is who they talked  
18 with --

19 Q Okay.

20 A -- I think. But you --

21 Q As between Ackerman McQueen and Edmonds?

22 A Right.

□

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1 Q One difference you've described is that  
2 you worked with Ackerman McQueen, and you didn't  
3 work with Edmonds.

4 A Right.

5 Q Other than that, are there any other  
6 differences in their function?

7 A No. They're both ad agencies. Ackerman  
8 McQueen does -- their functions in the NRA or their  
9 functions within their own firms are you talking  
10 about?

11 Q No. I'm talking about their functions  
12 with the NRA.

13 A Well, Ackerman McQueen does a lot of the  
14 corporate stuff for the NRA. They do our -- they do  
15 our annual meeting. They do a lot of our safety  
16 stuff. They do our -- they helped us develop our  
17 Eddie Eagle child safety program. They do a lot of  
18 those types of day-to-day program activities also in  
19 addition to they worked with us on the infomercials.

20 Q And also on the spot ads. I've seen spot  
21 ads that come from Ackerman.

22 A You talk about the NRA spot ads that

□

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1 involved -- the ones in March and --

2 Q No. I include the ones in March.

3 A They've done some political ads also.

4 Q They've done some ads in the last 60 days  
5 that talk about candidates, correct?

6 A They have done that also, correct.

LaPierre Dep

7 Q Now does --

8 A Edmonds does primarily just political  
9 stuff, no corporate stuff.

10 Q When you say primarily just political  
11 stuff --

12 A Just political stuff.

13 Q -- does Edmonds do work for the NRA  
14 narrowly defined as well as the PAC or only for the  
15 PAC?

16 A I think I said NRA. Edmonds does work  
17 with the PAC is what I should have said.

18 Q And as far as you know, Edmonds works only  
19 with the PAC and not with NRA at large?

20 A It works with NRA at large, but not on  
21 very much stuff. I mean, he's done a -- he's done  
22 some minor ads from time to time that deal with

□

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1 internal matters or deal with programs. But it's  
2 almost insignificant what he's done.

3 Q As far as political ads go?

4 A He's done a lot over the last couple of  
5 years.

6 Q For the PAC?

7 A For the PAC. And for ILA.

8 Q But has ILA -- well, let's say the PAC.

9 A Right.

10 Q And for ILA, has he done political ads  
11 that go out with the name NRA on them as opposed to  
12 the NRA PAC?

13 A I believe he's done ads for NRA-ILA that  
14 deal with legislation involving Capitol Hill or  
15 legislation in the States and stuff like that in  
16 addition to ads that he's done for the PAC.

17 Q Okay.

18 A Ackerman McQueen did not -- they've done  
19 some, but they really did not do a lot of NRA-ILA,  
20 NRA PAC stuff over the last several years. They did  
21 some, but not a lot. Edmonds did more of it.

22 Q Okay. Now, on Edmonds, you said they did

□

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1 some, what I would call, legislative ads. There's  
2 some issue, and it's either a State legislature or  
3 the Congress that --

4 A Right.

5 Q -- NRA wants to make sure that key  
6 legislators understand its position.

7 A That's correct. That's correct. I mean,  
8 their phraseology "the gun show loophole," for  
9 example, which they tried to stick on us. I mean,  
10 Edmonds has done ads responding to that for NRA-ILA,  
11 I believe.

12 Q And has Edmonds in the 60 days prior to a  
Page 119

13 federal election --

14 A Right.

15 Q -- done any political ads for any part of  
16 NRA other than the NRA PAC as far as you know?

17 A I do not believe so.

18 Q Okay. Now, when you talk about  
19 legislative --

20 A In fact, I can say that with virtual  
21 certainty, no.

22 Q Okay.

□

133

1 A No. I mean, if he did ads within that  
2 window, he did them through ILA or through the PVF.  
3 There were no general ads done by Edmonds on our  
4 side in that window.

5 Q You always confuse me a little bit --

6 A I'm not trying to, honest.

7 Q -- when you say through ILA because ILA is  
8 part of NRA.

9 MR. GILLIGAN: Can we caucus for a second?

10 MR. SCHWARZ: Sure.

11 MR. GILLIGAN: Let's get the answer first.

12 MR. SCHWARZ: He should answer the  
13 question.

14 THE WITNESS: Yeah. The work that Edmonds  
15 did would have been -- yeah. NRA-ILA is a part of



LaPierre Dep

16 the NRA. It's just that it's under the Institute  
17 for Legislative Action, which is the Jim Baker,  
18 Tanya Metaksa chain. And I believe if Edmonds did  
19 work in that cycle, it was through there. He did  
20 not do general ads on the NRA side in that time  
21 frame --

22 MR. SCHWARZ: Okay.

□

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1 THE WITNESS: -- is what I'm trying to  
2 say.

3 MR. SCHWARZ: So let's go off the record  
4 for a second.

5 (Discussion off the record.)

6 BY MR. SCHWARZ:

7 Q When there's an ILA ad --

8 A Right.

9 Q -- not a PAC ad, but an ILA ad --

10 A Right.

11 Q -- done during the 60 days prior to a  
12 federal election --

13 A Right.

14 Q -- okay, what money is used to pay for  
15 that? Is the PVF money used to pay for that? Or is  
16 NRA money used to pay for that? Or are both the  
17 case?

18 A If there's an ILA that had done -- it  
Page 121

19 really doesn't even have to be 60 days. It can be  
20 just in general also. It is paid for by money  
21 within the Institute for Legislative Action.

22 Q But that is --

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1 A It's not PAC. But it could be -- if it's  
2 a political ad, and it says vote for or against,  
3 it's paid for by the PAC. If it's a political ad  
4 involving a piece of legislation on Capitol Hill we  
5 talked about, that can be paid for by general ILA  
6 funds.

7 Q Which are actually NRA funds?

8 A Well, the NRA pays for the salaries, and  
9 they pay for the heat and the lighting and the  
10 office space. ILA raises their money -- the rest of  
11 their money through direct contributions.

12 Q Are those through letters that go out  
13 saying -- with a heading of PVF on the letter or  
14 heading of ILA on the letter?

15 A They are both. NRA does some letters that  
16 are PVF, and that's specific money that goes into  
17 the PVF. And there are some letters that say  
18 Institute for Legislative Action, and that money  
19 goes into the Institute for Legislative Action fund,  
20 which is not the PVF.

21 Q And you also raised the letter.

22 A On the NRA side, we raise money also.

□

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1 Q You use the term issue ad on a piece of  
2 legislation. And earlier you said Edmonds works on  
3 legislative ads and primarily on legislative ads?

4 A And political ads.

5 Q And let's talk about legislative ads or,  
6 the second time you put it, issue ads involving a  
7 piece of legislation.

8 A Right.

9 Q When you run those ads, your objective is  
10 to try and persuade key people in the -- let's talk  
11 about federal pieces of federal legislation, okay.

12 A Right.

13 Q Your objective is to persuade key people  
14 in the Congress --

15 A Right.

16 Q -- not to support something or to support  
17 something; is that correct?

18 A Or that we're right and the other guy is  
19 wrong, or here are the facts on the issue.

20 Q But the end -- the end of that game --

21 A Right.

22 Q -- is to persuade key people in the

1 Congress to go your way on the issue, correct?

2 A I think that's a fair statement.

3 Q And --

4 A And includes educating as to what the  
5 facts are, too.

6 Q To be sure.

7 A I think that's a fair statement.

8 Q You can't just run ads saying -- that  
9 screams at the legislators that say support our  
10 position. You've got to say why; isn't that  
11 correct?

12 A Exactly.

13 Q So when you do run such ads --

14 A Right.

15 Q -- thinking about either the House or the  
16 Senate --

17 A Right.

18 Q -- do you target them on committee chairs?  
19 Do you target them on legislators who you think are  
20 undecided?

21 A We -- we have -- most of the time when NRA  
22 runs issue ads, it's -- it depends. I mean, all of

1 the above, I guess, is -- would be the answer.

2 Ads have been done toward undecided  
3 members of Congress on an issue. Ads have been done  
4 just to the general public because some piece of  
5 misinformation has been put out there by the other  
6 side. And ads have been done toward committee  
7 chairs because of their position.

8 Q Okay.

9 A So all of the above.

10 Q Okay. But the -- and I don't remember the  
11 exact phraseology you used at the beginning of the  
12 deposition. But you've given me this sort of a  
13 general overview of what -- how issue ads are  
14 constructed and who they're directed at; is that  
15 correct?

16 A In terms of a specific piece of  
17 legislation in Congress. It could also be towards  
18 some horrible miss -- I mean, misguided story that  
19 was in the national media.

20 Q Sure.

21 A I mean, the best example of that is cop  
22 killer bullets. I mean, NBC decides to do a

□

1 magazine show there's a bullet that pierces the

LaPierre Dep

2 armor, making it sound that there's a bullet that  
3 will go through police officers' vest. They  
4 broadcast it all over the United States one night.

5 The next day, we have 15 pieces of  
6 legislation in Congress to ban this bullet. But  
7 most of the members in Congress don't have any idea  
8 what they're talking about when it comes to the  
9 issue. So the legislation they draft includes all  
10 rifle rounds used in America as opposed to the  
11 armor-piercing bullets.

12 And you end up -- you end up -- what I'm  
13 saying is you could end up running advertising based  
14 on a false piece of information that was in the  
15 national media. Also, you're just trying to educate  
16 people.

17 Q Okay. So see if I can fairly capsulized  
18 what you've been saying in the last 5 minutes. For  
19 issue ads --

20 A Right.

21 Q -- they are targeted at three -- largely  
22 targeted at three groups: One, committee chairs;

□

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1 two, undecided members --

2 A Right.

3 Q -- and some cases the general public?

4 A And -- and all -- committee, members of

LaPierre Dep

5 Congress, undecided, committee chairs, and the  
6 general public they're targeted at; that's correct.

7 Q Okay. Good. Now, you mentioned --

8 A And sometimes to try to educate the media.

9 Q Fair enough. You mentioned that when I  
10 asked you who either within or outside of NRA gets  
11 involved in strategy for -- with respect to  
12 political broadcast advertisements.

13 A Right.

14 Q And one of the entities you remembered was  
15 the public relations committee of the board.

16 A Uh-huh.

17 Q Okay.

18 A We give them a briefing as to what's going  
19 on.

20 Q Okay. And how often does the public  
21 relations committee meet?

22 A They can meet whenever they decide to call

□

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1 a meeting and get it approved by the president.

2 Normally they meet one or two times a year.

3 Q Okay. And just focusing on the year 2000  
4 for a moment, did you meet with the public relations  
5 committee in the year 2000?

6 A I think they had a meeting -- I think they  
7 had a meeting during our September board meeting.

8 Q Okay.

9 A And they -- they may very well have had a  
10 meeting during -- I mean, it's easy to check. I  
11 mean, I can get you exactly when they met. It's  
12 just they don't call a meeting every board meeting.  
13 And it just -- I mean, sometimes -- right now  
14 they've probably gone two meetings without calling a  
15 meeting at all.

16 But -- I think they met in September of  
17 that year. And I bet that they met in January of  
18 that year.

19 Q So January of 2000 and September of 2000?

20 A That's what I think.

21 Q Okay.

22 A I'm not positive, but that's what I think

□

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1 happened.

2 Q And at those meetings, who makes the  
3 presentation to the public relations committee?

4 A Our ad agency, Ackerman, might do that,  
5 has done that, in fact, usually does that.

6 I usually stand up and say something. At  
7 the same time, our -- ILA people, the Jim Bakers,  
8 the Tanya Metaksa, they -- they are there and  
9 usually do a presentation.

10 If there's a meeting, the general format



LaPierre Dep

11 would be our -- our overall ad agency, Ackerman, I  
12 would say something, and then the ILA people would  
13 come in after me, and they would do -- talk about  
14 legislative issues, political issues, stuff like  
15 that.

16 Q Okay. And recognizing that you're only,  
17 say -- you think there was a meeting in January and  
18 you think there was a meeting in September.

19 A Pretty sure of that.

20 Q Pretty sure.

21 A Yeah.

22 Q What was the -- with respect to the

□

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1 strategy with respect to political advertising --

2 A Right.

3 Q -- broadcast advertising, what do you  
4 recall about the September meeting?

5 A I -- I would -- I don't -- the answer is I  
6 don't recall anything specifically. I mean, I -- I  
7 would -- I would -- knowing what I would have  
8 briefed them on, I probably would have talked about  
9 the infomercials, what we were doing on that.

10 I probably would have talked about the  
11 whole Million Mom March, Clinton-Gore. You know,  
12 they would have said, did you see what they said  
13 about us the other day on TV? what are you doing

LaPierre Dep  
14 about it? Can you believe that? And, you know,  
15 then I would say, well, this is what we're doing.  
16 And we would have had a discussion.

17 Q But you don't, as you sit here today,  
18 remember what actually happened at that September  
19 meeting?

20 A I honestly don't. I mean, I --

21 Q At those meetings when you make  
22 presentations or Ackerman -- someone from Ackerman

□

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1 makes a presentation --

2 A Right.

3 Q -- or the head of the --

4 A Right.

5 Q -- ILA makes a presentation, are those  
6 communicated in any way in writing? In other words,  
7 are there flip charts? Are there exhibits? Are  
8 there memos?

9 A There are usually -- it all depends. I  
10 mean, I can remember meetings where there have been  
11 flip charts. There have been presentations. I  
12 don't remember any meetings recently where there  
13 have. A lot of times they show the commercials.  
14 They show the infomercials. They show -- if there's  
15 anything new in print or electronic, they tend to  
16 show it to the committee and say this is -- this is

LaPierre Dep

17 what we're doing.

18 They usually don't get into direct mail at  
19 all. In fact, I can never remember them covering  
20 direct mail. But they show -- they show radio, TV,  
21 newspaper, stuff like that to the committee.

22 Q And these are prospective ads or ads that

□

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1 have run or both?

2 A Both.

3 Q Okay.

4 A Both.

5 Q And at any point do any of the ads change  
6 because of the discussion in the committee with  
7 respect to the prospective ads?

8 A We always listen to them. If there is  
9 some good point, we have no objection to changing  
10 that. People say, hey, have you thought of this?  
11 Have you thought of that? Hey, I'm really upset  
12 about this, and what are you doing about it? Stuff  
13 like that.

14 Q With respect to the flip charts or any  
15 other writing --

16 A Right.

17 Q -- if you want to get a copy of those  
18 today, how would you go about doing it?

19 A If they exist, our ad agency would have

20 them if they did it. Maybe some member of the  
21 public affairs committee would have something tucked  
22 in their files.

□

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1 Q And how about for any presentation that  
2 you made? would you have kept any material?

3 A I honestly do not -- I throw it all away.  
4 I mean, I do not keep junk. I just don't do it. I  
5 mean, I -- when I walk out of a meeting, it -- I  
6 usually don't -- I just don't keep the stuff from  
7 our board. I mean, I just -- the secretary's office  
8 might have some.

9 Q Secretary. What do you mean by secretary?

10 A The NRA secretary.

11 Q The board secretary?

12 A Yeah, the board secretary that worked with  
13 the committees.

14 Q Uh-huh.

15 A But usually it's done by our ad agencies.  
16 I mean, I know what's going on anyway. I mean, I  
17 just don't lug around a whole bunch of junk with me.

18 MR. SCHWARZ: David, can you do a search  
19 for that committee and whether there are any  
20 documents that would have been -- I'm not  
21 criticizing the fact that they weren't produced, but  
22 they are relevant if there are any.

1 MR. THOMPSON: If they're responsive,  
2 you'll get them. And we'll take another look --

3 MR. SCHWARZ: Okay.

4 MR. THOMPSON: -- to see if they're  
5 responsive.

6 BY MR. SCHWARZ:

7 Q Okay. Ackerman, have you worked with  
8 Ackerman, you yourself, for a long time?

9 A They have -- they have been our ad agency  
10 at NRA, in fact, long time before I became executive  
11 Vice President. They have been corporate NRA's ad  
12 agency going back to the early '80s.

13 Q And do you know if Ackerman and Edmonds  
14 communicate with each other about political  
15 broadcast strategy?

16 A Not much at all if ever because they  
17 don't -- there's a rivalry between them.

18 Q Uh-huh.

19 A And they would both like to have more  
20 advertising revenue. And, no, they don't  
21 communicate. I mean, it's usually a question of  
22 fighting over the business.

1 Q Were you ever told that it would be a good  
2 idea not to have documents concerning the NRA's  
3 strategy about ads?

4 A No.

5 Q Okay.

6 A Never.

7 Q Have you ever heard that anyone else was  
8 told that?

9 A No.

10 Q And you've never said that to anyone at  
11 the ad agencies?

12 A I had never said that to anyone in the ad  
13 agency. As I said, we're proud of what we've done.  
14 We have no problem with the whole world seeing it  
15 just in general.

16 MR. SCHWARZ: Off the record.

17 (Discussion off the record.)

18 THE WITNESS: Everything we do is under a  
19 light all the time anyway and under a microscope. I  
20 mean it's like --

21 BY MR. SCHWARZ:

22 Q Now, does NRA in connection with devising

1 its ads or its ad strategy --

2 A Right.

3 Q -- does NRA itself consult any pollsters  
4 or any focus groups?

5 A You know, we -- I was trying to figure  
6 that out the other day. I think in our meeting the  
7 other day it came up.

8 MR. COOPER: You don't have to discuss  
9 what our conversation was in our meeting.

10 MR. SCHWARZ: It's not a waiver anyway.

11 THE WITNESS: We use pollsters. We use --  
12 the ones we've used most often is Kellyanne  
13 Fitzpatrick.

14 BY MR. SCHWARZ:

15 Q Kelly and Fitzpatrick.

16 A Yeah. She has a company called the  
17 Polling Firm, and she's done some work for us. And  
18 a pollster named Gary Lawrence who used to be a  
19 partner of Dick Worthland who is now out on his own.

20 Q Okay. So the first one is a woman called  
21 Kellyanne Fitzpatrick?

22 A Uh-huh.

□

1 Q Okay. I thought first when you first said  
2 Kelly and --

3 A No, I'm sorry. Kellyanne.

4 Q And the other one is -- I'll call  
5 Lawrence?

6 A Gary Lawrence.

7 MS. MITCHELL: Can I interject? You said  
8 Ms. Fitzpatrick had a firm.

9 THE WITNESS: The polling company.

10 MS. MITCHELL: She also got married.

11 THE WITNESS: She got married?

12 MS. MITCHELL: It's a new name.

13 THE WITNESS: I don't know what it is.

14 MS. MITCHELL: Conway.

15 THE WITNESS: What is it?

16 MS. MITCHELL: Conway.

17 BY MR. SCHWARZ:

18 Q On what subjects within the last 5 years  
19 have you had either one of those pollsters take a  
20 poll?

21 A From time to time, we have put a question  
22 on -- these companies, Kellyanne's firm in

□

1 particular, does these general polls and asking all  
2 kinds of issues. And we have put a question on  
3 there from time to time on the gun issue and stuff  
4 like that.

5 I think we also -- after the election, I  
6 think we may have put a question on there in terms



7 of the impact of the race on union members and stuff  
8 like that.

9 Q well, you, in fact, spent a great deal of  
10 effort on union members during the election, didn't  
11 you?

12 A Right. Right.

13 Q Let's focus on polling. I said the last  
14 5 years --

15 A Right.

16 Q -- but let's focus for a while on 2000  
17 again since that probably is most in your mind.

18 A Right.

19 Q During 2000, what polling did you have  
20 done between January 1st and November?

21 A I don't think we had a lot.

22 Q well, what did you have? I don't care if

□

1 you had a lot.

2 A I would have to go back and check, because  
3 I don't remember specifically -- I honestly don't  
4 remember. Because polling was not, believe it or  
5 not, a big part of our strategy. I mean, this was  
6 so intense, and we were getting attacked every day.  
7 Honestly, you didn't need a poll to figure out what  
8 was going on. All you had to do was open your eyes  
9 and turn on the TV.

LaPierre Dep

10 I don't -- I mean, we can check with the  
11 ILA side and find out whether they did any polling.  
12 I'm not aware they did. I -- I can check -- I don't  
13 remember whether we did any polling with Gary  
14 Lawrence on the election cycle or not.

15 And what I was trying to remember is  
16 whether Ackerman McQueen did any polling on focus  
17 groups in relation to producing the infomercial.  
18 And that is what I need to check, because I honestly  
19 don't remember whether they did or not. I think  
20 they did --

21 Q Yeah, I was going to say that.

22 A -- is my answer, but we would have to

□

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1 check. And we could find out exactly whether they  
2 did.

3 I do remember, after the election was  
4 over, and the way this usually works is these  
5 polling groups -- and we get contacted all the time  
6 by them calling up and say, hey, we have a survey  
7 going out in the field. Are there any questions you  
8 want to put on it. And for 5,000 or 10,000, you can  
9 add a question.

10 And I remember after the election adding a  
11 question with Kellyanne's firm on a poll about the  
12 union stuff.

LaPierre Dep

13 Q Let me see if I can refresh your  
14 recollection a little bit --

15 A Okay.

16 Q -- about what happened prior to the  
17 election in 2000.

18 A Okay.

19 Q Didn't Ackerman do polls that would help  
20 you decide which themes you were considering using  
21 would be most effective in persuading viewers to act  
22 in a certain way?

□

154

1 A I think they probably did polling to find  
2 out how people felt about everything. That's what I  
3 was saying.

4 Q Yeah.

5 A I think they did focus groups to listen to  
6 people and find out what was on their minds --

7 Q And --

8 A -- and to craft the end product.

9 Q And that was done in order to help decide  
10 what to put in ads, correct?

11 A Right.

12 Q And part of --

13 A And infomercials.

14 Q Ads and infomercials.

15 A Right.

LaPierre Dep

16 Q Do you call infomercials ads or --

17 A They're both ads when you get right down  
18 to it. But I -- this is just lingo. The way -- the  
19 way I view ads is a 30 second, 1 minute, and the  
20 infomercial is a half an hour.

21 Q But in any event, for both --

22 A Right.

□

155

1 Q -- what I'll call spot ads and  
2 infomercials, Ackerman used focus groups and  
3 polling --

4 A I believe that's correct.

5 Q -- to help construct the message in the  
6 ad, correct?

7 A I'm pretty sure that's correct.

8 Q And one of the factors they took into  
9 account in doing their polling --

10 A Right.

11 Q -- and doing the focus groups was to  
12 determine what effect the ad would have on potential  
13 voters; isn't that correct?

14 A I wasn't there when it happened. I mean  
15 it could very well have been.

16 Q But wasn't that your understanding?

17 A My understanding is they were doing focus  
18 groups in terms of putting together the infomercial

19 packages, and looking at the lay of the land,  
20 looking at where people were. They look at  
21 everything in terms of putting together those  
22 packages. And voters is probably one of them they

□

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1 look at.

2 Q Okay. And to the best of your  
3 recollection, that's, in fact, one of the things  
4 that Ackerman did; isn't that correct?

5 A I -- that's probably true.

6 Q Okay. Now, we've talked about ad  
7 agencies. We've talked about pollsters. We've  
8 talked about people within NRA.

9 were there any political consultants who  
10 would not be within one of those groups who NRA  
11 consulted in connection with its campaigns?

12 A No. Not really. I mean, that's the core  
13 group that did it; and that's the group that did it.

14 Q Okay. So you can't -- you can't think of  
15 any other category of persons or entity that helped  
16 you put together your strategy for these ads?

17 A No. No.

18 Q Okay.

19 MR. SCHWARZ: why don't we take a 3-minute  
20 recess here.

21 (Discussion off the record.)

22 (Recess.)

□

157

1 BY MR. SCHWARZ:

2 Q would you please pull out LaPierre  
3 Exhibit 3. That's your letter to NRA contributors.

4 A Okay.

5 Q And turn to page 2575 on the bottom --

6 A Okay.

7 Q -- of the pages, where the page numbers  
8 are.

9 And I'm going to read to you a sentence in  
10 the paragraph that's four from the bottom, the one  
11 that starts "Last fall."

12 A Right.

13 Q Okay. And the sentence is, "I could  
14 choose to spend as much as the NRA possibly could,  
15 to get our message to gun-owning voters in critical  
16 swing states -- or I could hold funds in reserve for  
17 battles during 2001 and beyond."

18 Do you see that quote?

19 A Right.

20 Q Now, you explain in your letter you made  
21 the choice to do as much as you could to critical  
22 swing voters in critical swing states, correct?

1 A Right.

2 Q By critical swing states, am I correct  
3 that that means with respect to the Presidency what  
4 is called a battleground state, correct?

5 A That's correct.

6 Q And with respect to the Senate and the  
7 House, states in which there were perceived to be  
8 close races; is that correct?

9 A That would be correct.

10 Q Okay. Focusing for a moment on the Senate  
11 and the House, can you think of a single broadcast  
12 ad run in the 60 days prior to the 2000 election  
13 that mentions a candidate for the Senate or the  
14 House that did not involve an election that was  
15 believed to be close?

16 A We -- no, I think most of -- most of the  
17 ads -- give me the question again.

18 MR. SCHWARZ: Can you read that again.

19 (The reporter read the record as requested.)

20 THE WITNESS: You know, I -- you would  
21 have to ask -- if I -- if those ads were done, ILA  
22 did them. There were none that were done on the NRA

1 side with the exception I think our infomercial -- I  
2 know our infomercial talked about Gore that we did.  
3 And we did that in critical states.

4 BY MR. SCHWARZ:

5 Q By critical states, do you mean the word  
6 we used earlier "battleground states"?

7 A Yeah. Battleground states where the issue  
8 was the most intense in terms of the -- not only the  
9 campaign, but also the -- everybody knew these  
10 states were going to be critical. So they were  
11 upping the ante like crazy against us in those  
12 states in terms of the hearts and minds of the  
13 public.

14 So we -- there's no doubt that we, within  
15 what was allowed by the election law and also for  
16 the -- in the battle for the hearts and minds of  
17 those states, we -- we purchased a lot of  
18 infomercial in those -- in those key states.

19 Q Right. And we've used several names: Key  
20 states, battleground states, crucial states.

21 A Right.

22 Q They all mean states where the election

□

1 was believed to be close, correct?



LaPierre Dep

2 A where --

3 MR. COOPER: Just to be clear, now, I take  
4 it, we're talking about the presidential election as  
5 opposed to a House and Senate.

6 MR. SCHWARZ: We are. Because he started  
7 talking about the presidential election.

8 MR. COOPER: I grant you, yes. I just  
9 want to be clear.

10 THE WITNESS: Yeah, because I -- I'm not  
11 a -- I mean, the only advertisement I placed was the  
12 infomercial stuff. I mean, if there was stuff done  
13 on the other side by ILA, I don't know that they did  
14 any. I think most of their stuff went into key  
15 states, to tell you the truth, or critical states as  
16 you call them.

17 we did -- we did the infomercial  
18 everywhere in the country. But where the -- where  
19 the debate was the most intense, where we were being  
20 attacked the most was the battleground states. And  
21 also where we wanted to have the most influence with  
22 the minds of the public was in the critical states

□

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1 also. And within what was permissible with the  
2 election law, we -- we -- we also bought in those  
3 states.

4 I mean, there wasn't much going on in

5                                   LaPierre Dep  
6 Wyoming, either from the broad cultural attack that  
7 was being done or by us.

8                                   BY MR. SCHWARZ:

9                                   Q     As far as you remember, now focusing just  
10 on the infomercials that mentioned Al Gore --

11                                  A     Uh-huh.

12                                  Q     -- as far as you remember, were all of  
13 those run in close or critical or battleground  
14 states?

15                                  A     No. I think some of them were done -- and  
16 I would have to check. I think -- the infomercial  
17 also ran in other areas throughout the country. And  
18 they weren't all battleground states.

19                                  And I believe that the mentioning of Al  
20 Gore when we changed the infomercial to keep it  
21 current and to keep it updated also ran in those  
22 other states also. And I can check that for you,  
but I believe that's correct.

□

162

1                                  Q     But you -- were the vast majority of the  
2 infomercials run in battleground or critical states?

3                                  A     I don't believe, if you take the whole  
4 year, the vast majority of the infomercials were run  
5 in battleground or critical states. I think they  
6 were run across the board in areas throughout the  
7 country.

8 Q That's --

9 A Because we were trying to get members, we  
10 were trying to educate, we were trying to cover news  
11 stories that weren't reported. And we ran those in  
12 the whole country. As we go into the -- as this  
13 whole thing kept intensifying, we really wanted to  
14 make sure that the public in those key states  
15 understood where we were coming from. And we bought  
16 additional or heavy infomercial in those states.

17 Q Okay. So you made a correct correction of  
18 my question. Now I want to answer a narrow -- ask  
19 the narrower question.

20 with respect to the last 60 days before  
21 the presidential election --

22 A Right.

□

163

1 Q -- in 2000 --

2 A Right.

3 Q -- and with respect to infomercials that  
4 during that period were run and had mentioned Al  
5 Gore --

6 A Uh-huh.

7 Q -- were those all run in battleground or  
8 key states as far as you remember?

9 A No. I think they were run -- I'd have to  
10 check. But I think they also ran wherever we were

LaPierre Dep

11 continuing to run infomercial. I think they also  
12 ran in those critical states. And I think -- I  
13 think we -- we may have heavied up in some of  
14 those -- in some of those critical states.

15 Because a lot of what we were doing in the  
16 infomercial was the attack, responding to the  
17 attacker and -- and with the -- with the truth as we  
18 see it on this issue. And, you know, so we did --  
19 yeah. I mean, where -- where the states were the  
20 hottest, we -- we heavied up on some infomercial.

21 Q Yeah. Now --

22 A But we never crossed the line in terms of

□

164

1 those infomercials saying vote for or against and  
2 stuff like that. But they clearly dealt with Gore.  
3 One or two pods did.

4 Q In fact, one of those infomercials uses Al  
5 Gore's name more than 50 times.

6 A Absolutely. And he was using our name  
7 more than a thousand times.

8 Q Okay.

9 A It's a back and forth.

10 Q And the -- as you sit here today --

11 A Right.

12 Q -- can you remember any infomercial --  
13 specifically remember any infomercial run in the

LaPierre Dep

14 last 60 days that mentions Al Gore that was not run  
15 in a battleground state?

16 A Again, I would -- I would have to check  
17 it, but I believe there was all kinds of infomercial  
18 that that ran -- that mentioned Al Gore that was not  
19 run in a battleground state.

20 Q But I asked a more narrow question.

21 A All right. Ask it.

22 Q And that is whether you can remember any

□

165

1 infomercial run in the last 60 days before the  
2 general election --

3 A Uh-huh.

4 Q -- in 2000 --

5 A Yeah.

6 Q -- that mentions Al Gore that was not run  
7 in a battleground state.

8 A Yes. I think that our general infomercial  
9 which ran in battleground states also ran in  
10 non-battleground states.

11 Q Okay.

12 A The same infomercial. I don't think we  
13 tailored the infomercial to a battleground state. I  
14 think we may have heavied up the buy. But I think  
15 it was the same infomercial that ran in  
16 non-battleground states that ran in battleground

LaPierre Dep

17 states.

18 Q But as you sit here today, can you  
19 remember any state -- can you name a single state  
20 that ran an infomercial in the last 60 days that  
21 mentions Al Gore other than a battleground state?

22 A Yeah. I think -- I think the infomercial

□

166

1 ran -- I mean, what states do you want to pick? I  
2 think it was running in Kentucky. I think it was  
3 running in Alabama. I think it was running in  
4 places in Wyoming.

5 I think it was running in -- because we  
6 were -- we were -- the whole infomercial was --  
7 started with -- with if -- if these media  
8 conglomerates won't report the news, by gosh, we'll  
9 report the news. If they won't tell the truth,  
10 we'll tell the truth. If they won't report what's  
11 going on in England and Australia and Canada and  
12 with Clinton and Gore, we're going to report it.

13 Because the media is biased, and the  
14 candidates are trying to demonize us, and we're  
15 going to get the truth out. So we started running  
16 infomercial all around the country.

17 I mean, as we got into the final months of  
18 the back and forth and the campaign season, I think  
19 we ran -- I think we heaved up where the debate was

20 the most intense.

21 But I also think we continued as we had  
22 all year running in the other places where it may

□

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1 have -- you know, the discussion wasn't as intense.  
2 And then we kept going after the election with --  
3 with infomercial after the election was over.

4 Q When you say heavied up, that's your  
5 phrase --

6 A Uh-huh.

7 Q -- would you agree with me that the vast  
8 majority of the infomercials run in the last 60 days  
9 before the election in November of 2000 that  
10 mentioned Al Gore more than 50 times in the  
11 infomercial --

12 A Right.

13 Q -- were run in battleground states? You  
14 might want to hear that again because it's a long  
15 question.

16 A Right.

17 (The reporter read the record as requested.)

18 THE WITNESS: I mean maybe I don't know  
19 but -- but I think that we continued to run the  
20 general infomercial right up until election day all  
21 over the place. I think -- and after election day.

22 I think we also in these states, where the

□

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1 debate was the most intense, I think we bought  
2 additional infomercial. I mean whether -- I'd have  
3 to look at the dollar to see how much we put into  
4 those states you're talking about as opposed to what  
5 the rest of the buy was in the rest of the country  
6 during that time period.

7 But we spent a lot of money trying to get  
8 our story out to America. And -- and we spent a ton  
9 of money in non-battleground states trying to get  
10 our story out to America.

11 But I would have to look at the dollars to  
12 tell you the truth in the last 60, 30 days, because  
13 I don't remember. But we can do that.

14 BY MR. SCHWARZ:

15 Q If you as the head of the NRA were going  
16 to do that --

17 A Right.

18 Q -- would you sit down with three boxes of  
19 invoices and try to work yourself through the  
20 invoices to get your answer?

21 A I would go to our ad agency, and I would  
22 ask them -- I would ask them where they think we



1 spent -- where we spent our money.

2 Q Yeah.

3 A And I think they would probably be able to  
4 tell me that.

5 Q And in any event, you would not sit down  
6 with three boxes of invoices --

7 A I wouldn't.

8 Q -- and try and answer that question?

9 A Not me.

10 Q And you wouldn't put anybody at NRA to  
11 work doing that, would you?

12 A No, I wouldn't. I wouldn't want to. They  
13 would scream bloody murder.

14 Q I've been more polite with David.

15 MR. COOPER: You might make your outside  
16 counsel do it.

17 THE WITNESS: I mean, you know, I mean,  
18 it's --

19 MR. GILLIGAN: Is outside counsel willing  
20 to do that?

21 THE WITNESS: I mean, the truth -- we ran  
22 the infomercial everywhere in the country because it

LaPierre Dep

1 was -- when we got our side of the story out, people  
2 joined the NRA. People went, I can't believe that's  
3 happening in England. I can't believe it. And I  
4 can't believe Gore is saying that. And, gosh, look  
5 at this.

6 So we ran it all over the country. I  
7 mean, did we buy additional infomercial in these hot  
8 areas? Yes, we did. And our lawyers told us that  
9 was perfectly okay, and no problem, and everything  
10 else.

11 BY MR. SCHWARZ:

12 Q Did -- I'm not going to ask any questions  
13 about what your lawyers told you.

14 MR. COOPER: Thank you.

15 BY MR. SCHWARZ:

16 Q In fact, you've been talking about an  
17 infomercial that deals with, among other things,  
18 with Canada --

19 A Right.

20 Q -- and England and Australia, I think.

21 A Right.

22 Q Wasn't that infomercial run in the first

□

171

1 half of the year and not run in the last 2 months  
2 before the election?

3 A I know it was run in the first half of the  
Page 154

LaPierre Dep

4 year. I thought it was also in the -- some of the  
5 pods we ran all the way through. Because the way  
6 those infomercials were designed, they were run  
7 based on three pods. And we tended to interchange  
8 the pod.

9 I mean, I would have to go back and look  
10 at what we ran this month, that month, that month.  
11 But I know -- you asked me earlier, the most  
12 successful part of that infomercial just in general  
13 was telling the story of what went on in the other  
14 countries. I mean, that -- we got a phenomenal  
15 reaction to that.

16 MR. SCHWARZ: Well, it may be that the way  
17 in which your ads were put together and delivered to  
18 us, because it's made to different pods, makes it  
19 difficult to determine what was run when.

20 David, just talking to you, it isn't clear  
21 to me that the infomercial that I associate with  
22 England and Canada and Australia, I think, was not

□

172

1 run in the last 60 days. And maybe -- the witness  
2 is saying he doesn't know, but he thinks maybe it  
3 was.

4 MR. THOMPSON: The Gore infomercial that  
5 deals with unions. And that I believe is the one  
6 you are -- that you're referring to.

LaPierre Dep

7 MR. SCHWARZ: Exactly.

8 THE WITNESS: That definitely.

9 MR. THOMPSON: And that references Canada,  
10 Australia and England, so it's in there.

11 BY MR. SCHWARZ:

12 Q But if I were focusing, Mr. LaPierre --  
13 and I think we can break for lunch after we do two  
14 or three questions on this.

15 A Right.

16 Q If I were focusing on -- from the tapes  
17 I've gotten from your counsel --

18 A Right.

19 Q -- and the invoices which they subjected  
20 us to looking at, three boxes of invoices --

21 A Right.

22 Q -- I believe the one that was run in the

□

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1 last 60 days is the one that is called Heston Union  
2 and starts by talking about unions.

3 Do you know the one I'm referring to?

4 A You're absolutely correct. That did run  
5 in the last 60 days. What I'm -- what I -- what may  
6 or may not be true is there may be a pod in that  
7 same infomercial talking about England or Australia,  
8 because they were a designed for a couple of pods.

9 Q There may be a short period of time in

10 that infomercial that does talk about England and  
11 Australia?

12 A But I'm not sure.

13 Q But there's another one which the tape  
14 that we received from your counsel indicates is --  
15 has a lot of minutes, 15 or something like that,  
16 about England and Australia.

17 A Right.

18 Q And that one, based on the information  
19 they gave us, was run in the first part of the year.  
20 Does that sound right to you?

21 A It sounds right to me. As I said at the  
22 start, I mean, we started out -- this thing is a

□

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1 moving thing. And as the debate changed, the  
2 national debate in this country, we changed the  
3 infomercials to stay current.

4 And we did get to a point where everybody  
5 seeing England and Australia and Canada, and  
6 although they're still powerful, the impact started  
7 to lessen, because people had already seen it. And  
8 we were changing the infomercials to stay current.

9 Q All right. The one that I call Heston  
10 Union, is that -- is that a name -- because that's  
11 the label on the -- does that ring a bell with you?

12 A That's what I call the part about Gore

13 that we ran.

14 Q And that's -- that's the one that has  
15 substantial -- more than 50 and I think  
16 substantially more than 50 references to Gore?

17 A It has a lot of Gore stuff in there,  
18 you're right.

19 Q And that was designed, was it not, in  
20 part, to persuade viewers that they ought to vote  
21 against Al Gore, correct?

22 A We're happy if it did that. And, yeah,

□

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1 we're thrilled if it did that. On the other hand,  
2 it's also designed to show that they were trying to  
3 convince people that union people were anti-gun, the  
4 union people hated the NRA, the union people were  
5 anti-second amendment.

6 This whole ongoing cultural war thing that  
7 they were doing was also designed to show that  
8 people didn't agree with Gore on any of that. They  
9 agreed with us. And that people -- and that this  
10 country that they were trying to set on fire against  
11 us didn't agree with Al Gore at all.

12 And, I mean, I don't know how you separate  
13 the air from the -- from the elections. I mean,  
14 it -- I mean, yeah, is there an election impact?  
15 Yeah. On the other hand, is it about the air? You

LaPierre Dep

16 bet it is.

17 Q So let's just see if we can get a yes or  
18 no answer to something.

19 A Right.

20 Q When you designed that ad --

21 A Right.

22 Q -- which was designed for you by

□

176

1 Ackerman --

2 A Right.

3 Q -- and you testified Ackerman did polling  
4 to see whether the ads -- how the ads would affect  
5 voters, correct?

6 A Right.

7 Q When you and Ackerman designed that ad --

8 A Right.

9 Q -- one of your purposes in designing the  
10 ad and running the ad is to affect how people would  
11 vote in the forthcoming election; isn't that  
12 correct?

13 A We wanted to talk about this issue within  
14 as broad a context as we could, without getting  
15 caught up in the federal election law, and deal  
16 directly with the people that were most directly  
17 attacking us.

18 Q Well, nobody is here -- sitting here

19 accusing you of violating any law.

20 A No, but we think about things like that.

21 Q So don't get that in my questioning.

22 MR. COOPER: Maybe I can be helpful. If

□

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1 the reporter will read the question back, I do think  
2 that is a yes or no question.

3 I do think that is a yes or no question.

4 And if the reporter will read it back.

5 (The reporter read the record as requested.)

6 THE WITNESS: We hoped it would impact the  
7 election. We -- we -- we were very careful not to  
8 cross the line in terms of what was legally allowed  
9 in terms of -- in terms of doing.

10 But I still come back to the fact that it  
11 also in a big, big way dealt with the air that was  
12 out there, dealt with the environment.

13 I mean, they were trying -- I mean, they  
14 were -- they were saying NRA was anti-union. They  
15 were saying NRA, you know, we didn't care about  
16 crime. They were saying Al Gore was all kinds of  
17 things and attacking us. And it was also within  
18 that broad dialogue that was -- that was going on.  
19 I mean, it -- it did all of that.

20 BY MR. SCHWARZ:

21 Q Well, you know, it's interesting. I asked  
Page 160



22 you for a yes or no answer, and your counsel asked

□

178

1 you to give a yes or no answer, and you didn't give  
2 a yes or no answer.

3 A But there's no -- I mean, yes, we hoped it  
4 influenced the election. On the other hand, it --  
5 it was dealing with the political debate that was  
6 going on.

7 MR. SCHWARZ: Okay. So why don't we stop  
8 here for lunch.

9 (Discussion off the record.)

10 (Whereupon, at 12:44 p.m., the deposition  
11 was recessed, to be reconvened at 1:45 p.m. this  
12 same day.)

13

14

15

16

17

18

19

20

21

22

1                                   AFTERNOON SESSION                                   (1:51 p.m.)

2    whereupon,

3                                   WAYNE LaPIERRE

4    having been previously duly sworn, was examined and  
5    testified further as follows:

6                                   EXAMINATION (Continued)

7                                   BY MR. SCHWARZ:

8           Q    So before lunch you, a couple of times,  
9    used the word "pods," P-O-D-S.  And I've seen the  
10   word "pods" in your documents.

11          A    Right.

12          Q    What in -- say what you mean by pods.

13          A    When we designed the infomercial, we  
14   designed -- the idea was that we wanted it to be  
15   basically a news magazine as to what was going on  
16   that hopefully raised money, hopefully raised  
17   contributions, but, at the same time, educating.

18                   And they were designed in the same format  
19   as 60 Minutes or something like that where the  
20   viewer would see two or three different stories  
21   within a 30-minute television show.

22          Q    And you could substitute -- a pod would be

1 another word for a segment; would that be fair?

2 A About a -- yes, a segment. About an  
3 8-minute segment.

4 Q And you can substitute pods and did, in  
5 fact, change infomercials by substituting pods from  
6 time to time; is that correct?

7 A That's correct.

8 Q Now, the commercial which -- the  
9 infomercial which had the 50 some references to  
10 Mr. Gore that you and I were talking about --

11 A Right.

12 Q -- the references to Gore included a  
13 reference to what you referred to as the position  
14 taken by the Gore Justice Department; is that  
15 correct?

16 A That's correct.

17 Q And what else was in the Gore portion of  
18 the infomercial or the Gore pod of the infomercial,  
19 if that's the right way to say it?

20 A As I remember, there were a lot of union  
21 members in there talking about how they felt about  
22 Al Gore and talking about the gun issue.

□

1 Q And --

LaPierre Dep

2 A Because the unions were all over this  
3 issue. And we wanted to show that the unions --  
4 that the union rank-and-file members were pro gun  
5 and didn't like at all what Al Gore and Bill Clinton  
6 were doing.

7 Q And you interviewed -- or a reporter on  
8 your behalf interviewed several union members; is  
9 that correct?

10 A Yes; that's correct.

11 Q And a number of them said that they felt  
12 that people should vote for Bush and not go vote for  
13 Gore, correct?

14 A Yeah, I think so. And that -- that, by  
15 gosh, this is about my freedom, and I feel like I'm  
16 being forced to choose between my job and my union.  
17 And I don't like being between my freedom and my  
18 job, my union, and I don't like being put in that  
19 position, and stuff like that.

20 Q And then some person actually cried on  
21 that tape, didn't he?

22 A Yeah, I think so.

□

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1 Q And several of them said, "And the union  
2 is not going to tell me how to vote. I'm going to  
3 vote against Gore, or I'm going to vote for Bush,"  
4 correct?

5           A       LaPierre Dep  
          I think so, yes.

6           Q       And focusing on the portion, now, for a  
7 moment of the Gore pod that talked about a position  
8 taken by what you called the Gore Justice  
9 Department.

10          A       Right.

11          Q       Okay. That was added after September 1st,  
12 wasn't it?

13          A       Maybe. Probably. I'm not sure is the  
14 answer. I -- I can't remember when we got -- it  
15 came out of the Emerson case.

16          Q       But it didn't come straight out of the  
17 case. It came out of a letter written by someone  
18 from the Justice Department to an NRA supporter;  
19 isn't that correct?

20          A       A Justice letter to an NRA -- maybe. But  
21 it also -- in relation to the Emerson case, maybe.

22          Q       Exactly. Exactly.

□

183

1           A       Yeah.

2           Q       Okay. So let me see if I can refresh your  
3 recollection by showing you something.

4                   MR. SCHWARZ: Could we mark as -- this  
5 would be 4, I guess, LaPierre 4.

6                               (LaPierre Exhibit 4 identified.)

7                   BY MR. SCHWARZ:

8 Q This is a letter undated, but with the  
9 heading "2000 PVF #14," and sent by Mr. Baker to  
10 fellow NRA members, correct?

11 A That's correct.

12 Q Now, had you seen this letter before? I  
13 don't mean within the last few days, but did you see  
14 it at around the time it came out?

15 A I've seen this. I have not seen this  
16 letter, I don't think. I've seen this one and  
17 I've -- I think I probably seen this one.

18 Q Yeah. This one, you mean pages 1571 and  
19 72?

20 A I did not see the first page. I -- I've  
21 seen the second page. I may or may not have seen  
22 the third page.

□

184

1 Q Okay. Now, remember, I said I was going  
2 to show this to you to try to refresh your  
3 recollection about something.

4 A Uh-huh.

5 Q Do you see the reference in the middle of  
6 the first page to a letter from Seth Waxman, U.S.  
7 Department of Justice?

8 A I do.

9 Q And that's a letter dated August 22,  
10 correct?

LaPierre Dep

- 11 A This letter right here?
- 12 Q No, the letter from Mr. Waxman.
- 13 A Yes.
- 14 Q Okay. So does that help refresh your  
15 recollection that the references in the Gore pod to  
16 the position of the Gore Justice Department would  
17 have been added sometime after August 22?
- 18 A That's probably -- that is probably true  
19 given the date of this letter. I accept that.
- 20 Q It's true, isn't it?
- 21 A Yeah. I agree with that.
- 22 Q So it takes a little while to do the TV

□

185

- 1 work on -- once you have the idea of running  
2 something --
- 3 A Right.
- 4 Q -- it takes a little while to do the TV  
5 work on it, correct?
- 6 A That's correct.
- 7 Q So now let me ask again. Based on my  
8 having attempted to refresh your recollection --
- 9 A Right.
- 10 Q -- is it correct that the Gore pod was  
11 added sometime -- started running on broadcast  
12 television sometime after September 1st?
- 13 A Yes. That's true.

LaPierre Dep

14 Q Okay. Now, I think you've spoken about  
15 your high regard for Mr. Baker, correct?

16 A Yes.

17 Q And do you believe that, when Mr. Baker  
18 communicates with fellow NRA members, he expresses  
19 himself carefully and accurately?

20 A I do.

21 Q Okay. And Mr. Baker said in his fourth  
22 paragraph that the race -- "The presidential race

□

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1 was in a dead heat." was that your understanding as  
2 one went into the last 60 days of the election?

3 A Yes. Everyone knew it was close.

4 Q Okay. And you see after the quotation  
5 from Mr. Waxman the paragraph that reads, The  
6 start -- "The stark reality of this unusually candid  
7 admission must be communicated to gun owners,  
8 hunters, and other pro-freedom voters."

9 Did you agree with that sentiment?

10 A Yes. Particularly given the fact that  
11 unions were trying to convince the public that Al  
12 Gore was pro second amendment.

13 Q But your answer was yes to my question?

14 A Yes.

15 Q You did agree with it?

16 A Yes.



LaPierre Dep

17 Q Okay. And then the next sentence reads,  
18 "And under federal election law, only NRA's  
19 Political Victory Fund can finance this critical  
20 outreach campaign."

21 Did you agree with that also?

22 A No. That's not exactly accurate. If

□

187

1 you're talking about the second amendment, any arm  
2 of the NRA can pay for that in relation with Gore.

3 Q And any arm in the NRA could, in your  
4 judgment, communicate the view that was expressed in  
5 the August 22 letter that's referred to in the  
6 middle of the page?

7 A That's correct.

8 Q And in fact --

9 A Did.

10 Q -- NRA itself did communicate that view --

11 A That's correct.

12 Q -- in the Gore portion pod of your  
13 infomercial, correct?

14 A That's correct.

15 Q Okay. And Mr. Baker goes on to say, "we  
16 can provide the margin of victory in states that  
17 will swing the election but we need you help to do  
18 it."

19 A Uh-huh.

20 Q That was in the fund-raising letter.  
21 A Uh-huh.  
22 Q But despite being in a fund-raising

□

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1 letter, was it your belief it was accurate?  
2 A Yeah. I do believe it's accurate.  
3 Q Okay. How successful was the NRA-PVF in  
4 raising money during the year 2000?  
5 A They were very successful. I don't know  
6 exactly how much they raised, but I think they had  
7 their best year ever in terms of raising dollars.  
8 Q And without asking you to say how much  
9 exactly they raised, in terms of -- what's the most  
10 accurate figure you could give?  
11 A For the whole cycle?  
12 Q Yeah.  
13 A Two-year period?  
14 Q Yeah. For the 2000 -- yes, that --  
15 A I would imagine they raised -- I had not  
16 looked at the figures, but I bet they raised four to  
17 7 million.  
18 Q Well, you started to say 10.  
19 A It could be 10. I bet it's seven at  
20 least. It could be more.  
21 Q Uh-huh.  
22 A It might be 10. ILA raised more than

□

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1 that. I think ILA raised 23 or 24.

2 Q Now, I have not seen any fund-raising  
3 letters.

4 And, David, this question is directed to  
5 you as much as anyone else.

6 I have not seen any fund-raising letters  
7 sent out by ILA. I have seen fund-raising letters  
8 sent by NRA, which are signed by you.

9 A Right.

10 Q I have seen fund-raising letters sent out  
11 by PVF, which are signed by Mr. Baker.

12 A Right.

13 Q I have not seen any fund-raising letters  
14 sent out by ALA.

15 MR. COOPER: ILA.

16 BY MR. SCHWARZ:

17 Q ILA, sorry.

18 Are there such letters?

19 A There are. Yes.

20 Q And do those letters -- as we've seen your  
21 letters do and the PVF letters do --

22 A Right.

1 Q -- they -- some of your letters focus on  
2 the importance of raising money so you can put it  
3 into ads that relate to the campaign.

4 A Right.

5 Q And certainly some of Mr. Baker's letter  
6 focus on the importance of raising money to put it  
7 into ads with respect to the campaign.

8 A Right.

9 Q Do some of the ILA fund-raising letters do  
10 that also?

11 A They talk about -- they talk about raising  
12 money for ILA, for the legislative issues, and also  
13 for the political -- ongoing political battle.

14 MR. SCHWARZ: So, David, maybe you're  
15 going to do something because I saw your hand  
16 gesturing.

17 MR. THOMPSON: No, that's -- please go  
18 ahead.

19 MR. SCHWARZ: I believe I'm accurate  
20 because I have looked at the boxes you kindly sent  
21 to us. And they are PVF and NRA fund-raising  
22 letters, but not any ILA ones.

1 MR. THOMPSON: There are certainly, I  
2 believe, ILA materials in those boxes. And what we  
3 provided to you was the sample that had been  
4 provided to us minus things that were temporally  
5 extraneous or --

6 MR. SCHWARZ: Or subject matter  
7 extraneous.

8 MR. THOMPSON: Or subject matter  
9 extraneous. But we haven't withheld any ILA  
10 fund-raising letters. And we had hoped that the  
11 magazines we had given to you pursuant to the  
12 conversation with Mark Kesselman and this most  
13 recent round of sample fund-raising letters that  
14 would satisfy your appetite.

15 MR. SCHWARZ: My appetite is insatiable  
16 for relevant material. And I think you've been  
17 extremely cooperative, and I want to make that  
18 clear.

19 But I think, in light of the witness'  
20 answer, I think it would be fair for you to go back  
21 and say to ILA, what fund-raising letters do you  
22 have that relate to, as he said it, the political --

□

1 I don't remember his exact words, but they're on the  
2 transcript.

3 MR. COOPER: We will do that.

LaPierre Dep

4 MR. THOMPSON: And will you agree that  
5 2000 is a relevant sample?

6 MR. SCHWARZ: I frankly think 2000 gives  
7 us enough. Because judging by what I read from  
8 Mr. LaPierre and Mr. Baker, 2000 seems to be  
9 representative of what I would expect.

10 BY MR. SCHWARZ:

11 Q Let me ask the witness one question in  
12 that direct.

13 A All right.

14 Q If we were to ask you -- I've asked you a  
15 lot of questions about the year 2000.

16 A Right.

17 Q And you've given some specific answers.  
18 But you've also given some generic answers --

19 A Right.

20 Q -- of more general points than just what  
21 happened on a given day.

22 A Right.

□

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1 Q Now, if I were to ask you questions about  
2 '98, '96, '94 --

3 A Right.

4 Q -- would there be any difference in your  
5 generic answers?

6 A No. I mean, the -- you mean in terms of  
Page 174

LaPierre Dep

7 how NRA operates and how ILA operates and the PVF  
8 operates?

9 Q And also how you pick which races to  
10 concentrate on.

11 A No.

12 Q How you pick what locations to concentrate  
13 on.

14 A None at all.

15 Q How you pick subjects.

16 A No.

17 Q What your advisors do.

18 A No. There would not be any real  
19 difference.

20 Q Okay. And you can't think of any material  
21 difference between 2000 and the earlier years?

22 A No. Other than the fact that, in the

□

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1 late -- late '99, we -- because of the onslaught of  
2 Clinton-Gore, President Clinton and Vice President  
3 Gore, coming at us based on this issue, and our need  
4 to get out there in front of the public, we invented  
5 the infomercial technique; and that was new to NRA.

6 Q Didn't you use in 1994 a half hour program  
7 that was akin to an infomercial?

8 A '94?

9 Q If you don't remember that, I'll come back  
Page 175

10 to it.

11 A I don't remember it off the top of my  
12 head.

13 Q I'll come back.

14 A It's possible.

15 MR. COOPER: But in terms of our  
16 dialogue --

17 MR. SCHWARZ: I think.

18 MR. COOPER: -- are you satisfied 2000  
19 would be representative given what I heard what you  
20 want?

21 MR. SCHWARZ: Based on what the witness  
22 has said. Let me make sure there is nothing loose

□

195

1 between me and the witness.

2 MR. COOPER: Okay.

3 BY MR. SCHWARZ:

4 Q I'm trying to get at any documents that  
5 might address your strategy, your objectives, your  
6 tactics in elections 2000, '96, '94.

7 A Right.

8 Q And we've talked a lot about 2000.

9 A Right.

10 Q But recognizing that, maybe, in '94, you  
11 concentrated on Congress, and there wasn't any  
12 President running --



LaPierre Dep

13 A Uh-huh.

14 Q -- but would the general approach you had  
15 to timing, to location, to content of ads be the  
16 same general approach as for 2000?

17 A Yes, it would.

18 MR. SCHWARZ: Okay. So I'm satisfied that  
19 you would do that.

20 MR. COOPER: Okay.

21 MR. SCHWARZ: Additionally, look for the  
22 year 2000 only.

□

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1 MR. COOPER: It shall be done.

2 BY MR. SCHWARZ:

3 Q Okay. Now, we've talked a little bit  
4 about the location of your ads and that they were at  
5 least concentrated on close races or battleground  
6 states. You and I may differ on whether 'that --

7 A Right.

8 Q -- where the proportion is, but they're  
9 concentrated on those races.

10 A Right.

11 Q Now, again, let's focus on 2000.

12 A Right.

13 Q What were your sources of information from  
14 which you determined which races were close or which  
15 races were in battleground states or whatever?

LaPierre Dep

16           A     Newsletters, the media, just the general  
17     turning on the television. I mean, everybody --  
18     there are no secrets in -- when you get into a  
19     campaign, I mean, everybody knows. I mean, it's --  
20     the columnists, the TV, the radio, the -- I mean,  
21     every newsletter you pick up, whether it's the Cook  
22     Report, whether it's the Evans-Novak Report, whether

□

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1     it's the Washington Post, I mean, everybody -- it's  
2     no secret where the battles are being fought.

3           Q     And you mentioned the Cook Report.

4           A     Right.

5           Q     And that's the Cook Political Report?

6           A     That's correct.

7           Q     And did you yourself get copies of that,  
8     or did people inform you of that?

9           A     I read all that stuff.

10          Q     Uh-huh.

11          A     But the rest of our staff and ILA reads it  
12     all, also.

13          Q     And your advisors like Ackerman and  
14     Edmonds presumably read them also?

15          A     They read it, too. More Edmonds than  
16     Ackerman probably, but they read it.

17          Q     And is there a report which has the name  
18     Sanchez on it that you're familiar with?

LaPierre Dep

19 A There may be. I'm not familiar with it.

20 Q Okay. Now, it turns out sometimes that  
21 the -- these various media sources or reports think  
22 an election is close and it doesn't turn out to be

□

198

1 close, correct?

2 A That's correct.

3 Q And -- but you may, based on believing the  
4 reports or believing your own gut --

5 A Right.

6 Q -- and you have a gut on these questions  
7 as well as things you read, correct?

8 A That's correct.

9 Q Okay. You may decide that the NRA will  
10 run broadcast ads in a state that some reports say  
11 is a battleground state for the Presidency, but it  
12 doesn't turn out to be really close, correct?

13 A Sure.

14 Q And, similarly, for congressional Senate  
15 or House races, you may decide to run ads in a  
16 particular state where you're told the race is going  
17 to be close, correct?

18 A That's correct.

19 Q And it may turn out that the Senate race  
20 you were told was going to be close, isn't really  
21 close; is that correct?

22 A That's correct.

□

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1 Q It doesn't turn out when people vote that  
2 it was actually close?

3 A That's correct.

4 Q And the same would be true for the House;  
5 is that correct?

6 A That's correct.

7 Q And have you used those reports -- take  
8 the Cook Report. Is that something you've used in  
9 prior years as well as the year 2000?

10 A Uh-huh. We use all the information that's  
11 out there in the public domain. And you weigh them  
12 all against each other, and you kind of go with your  
13 gut instinct as to what you think is right.

14 Q Okay. And are there times when you, let's  
15 say, in August -- let me ask that question with a  
16 preamble.

17 when in the political year do you first  
18 start looking, for example, at the Cook Report?

19 A Year-round.

20 Q Okay.

21 A I mean, it's a year-round newsletter. We  
22 look at that stuff all the time.

1 Q Okay. So what in January -- what kinds of  
2 things would a typical Cook Report be reporting in  
3 January or February or March?

4 A Who's thinking of retiring, who's not  
5 retiring, what's happening in the early primaries,  
6 on to what it looks like in November, and what the  
7 roundup might be and all that.

8 I mean, it's a -- the political cycle is a  
9 365-day cycle. I mean, it -- every year now it's  
10 a -- it's a business. I mean, it's -- it's an  
11 industry.

12 Q So you -- you're reading the Cook Report  
13 and other information throughout the year --

14 A Right.

15 Q -- and even before an election year to try  
16 and get insights --

17 A Right.

18 Q -- on where the election is going to be  
19 close, where they're not going to be close?

20 A That's correct.

21 Q Okay. And are there times when, let's  
22 say, on the 1st of October or the 15th of September

1 you are suddenly told that an election is going to  
2 be close that you hadn't anticipated was going to be  
3 close?

4 A Yeah. I mean, the political thing is  
5 constantly changing. And there will be a race that  
6 everybody thinks is going to be close; and by -- by  
7 October, it's a runaway. And -- or the opposite. A  
8 race that people think is -- is not even in play,  
9 and then suddenly it becomes in play.

10 Q Let me focus your attention on one  
11 specific state on that subject, the state of  
12 Tennessee --

13 A Okay.

14 Q -- in 2000.

15 A Right.

16 Q Did you become informed or come to the  
17 conclusion sometime before the end of September that  
18 Tennessee was going to be in play when before you  
19 had not thought it was going to be in play?

20 A That's correct.

21 Q And, indeed, you personally, Mr. LaPierre,  
22 ran some ads in the state of Tennessee in the --

□

1 either the latter part of September or in October;

LaPierre Dep

2 isn't that correct?

3 A We ran infomercial. And I -- and ILA -- I  
4 say ILA. The PVF ran ads, I believe. I'm not sure.  
5 But I'm sure they did.

6 Q But when I said you personally --

7 A Yeah, we ran infomercial in Tennessee.

8 Q No, no. Now I'm focusing on you, Wayne  
9 LaPierre. You're the person who's the spokesman on  
10 a spot ad in Tennessee that starts running at the  
11 very end of September; isn't that correct?

12 A Did I do an ad?

13 Q Yeah. I'm putting to you that you did do  
14 an ad.

15 A It's possible. They may very well have  
16 had me record a radio ad or a something. I mean, I  
17 don't -- I honestly don't remember it, but it could  
18 very well be.

19 Q What about a TV ad? Did NRA run in the  
20 state of Tennessee a TV ad in which you were the  
21 spokesman and -- it's a spot ad, 60-second ad --

22 A Right.

□

203

1 Q -- in which you were the spokesman, and  
2 the ad is run in Tennessee starting at the very end  
3 of September?

4 A You know it's possible. I don't remember

5 it. I honestly don't. But it's possible.  
6 Q Is one of the reasons that's difficult for  
7 you to remember, when somebody films you --  
8 A Right.  
9 Q -- and you're Wayne LaPierre, and you're  
10 talking on a given subject, right --  
11 A Right.  
12 Q -- it's sort of a generic piece of film?  
13 And when they film you, they don't say to  
14 you, now, Mr. LaPierre, I want you to talk like  
15 you're from Tennessee or, Mr. LaPierre, I want you  
16 to talk like you're from Maine. That doesn't  
17 happen?  
18 A No, it doesn't.  
19 Q No, that doesn't happen.  
20 A No, it doesn't.  
21 Q Getting away from that specific. Do they  
22 tell you, Mr. LaPierre, this is an ad we want to run

□

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1 in Tennessee; or, Mr. LaPierre, do they say, here is  
2 a script?  
3 A Sometimes both. Sometime both.  
4 Q Sometimes both?  
5 A Sometimes I record stuff that states  
6 specific. Sometimes I record stuff that's just  
7 general.



8 Q Did you record something in 2000 that was  
9 used in 60-second spots in Tennessee that focused on  
10 the Gore Justice Department and the Gore Supreme  
11 Court? If you remember. I mean, you may not  
12 remember.

13 A You know, I don't remember. But it sounds  
14 like something I would have been talking about. I  
15 mean, I talked about that a lot. I talked about  
16 that everywhere. Every speech I did, every  
17 interview I did, every -- every time I talked to  
18 people, I talked about that. So that is -- it's --  
19 yeah, it's quite possible.

20 Q And when Mr. Heston does an ad -- can we  
21 agree his voice is quite marvelous?

22 A Oh, it's terrific. Yeah.

□

205

1 Q When Mr. Heston does an ad, am I right  
2 that he records that ad in some studio --

3 A (Indicating in the affirmative.)

4 Q -- and they then decide where to run the  
5 ad?

6 Mr. Heston isn't sitting down and  
7 saying --

8 A That's correct.

9 Q -- please run me in such and such a place?

10 A That's correct.

11           LaPierre Dep  
12           Q     And who is the "they"? Is the "they" you  
13           plus Mr. Baker, Mr. Ackerman, plus Edmonds?

14           A     It's -- those would be the people that  
15           weigh in the decisions. It would be the Ackerman  
16           McQueen ad agencies. It would be me. It would  
17           be -- within ILA and PVF, it would be Jim Baker and  
18           Tom Edmonds. On the NRA side, it would be more me  
19           and Ackerman McQueen.

20           Q     Now, I would like to ask you a couple of  
21           questions about 1994. Now, 1994 was an important  
22           election for the NRA, correct?

23           A     Yes; that's correct.

□

206

1           Q     And was that because it was important  
2           because the leadership of the House changed,  
3           correct?

4           A     Yes. And it was also important because  
5           you had the start of President Clinton and Al Gore  
6           upping the heat and upping the volume on this issue.  
7           I mean, they had -- they had insisted on making guns  
8           a big issue in the crime bill. They had talked Tom  
9           Foley into walking the plank. They had talked Jack  
10          Brooks into walking the plank with them. It was  
11          just a hot issue.

12          Q     And from 1994, did NRA pay more attention  
13          to television than it had before 1994?

LaPierre Dep

14           A     I think NRA -- NRA started throughout the  
15 whole '90s to pay a lot more attention to  
16 television, because if you wanted to communicate  
17 with America -- I mean, newspaper readership is  
18 down. It became obvious that radio and -- if you  
19 want to be heard by America, radio and TV are -- are  
20 the way to do it.

21                     I can't -- I don't know whether NRA ran a  
22 lot more television in '94 than they did in the

□

207

1 past. I can't remember that.

2           Q     And did NRA in 1994 use the powerful  
3 medium of TV carefully targeted to key states and  
4 congressional districts?

5           A     It makes -- probably. I mean, I -- it --  
6 it would be something the organization would look to  
7 do.

8           Q     And do those words that I read sound like  
9 something that you said in the year 2000; in other  
10 words, that NRA in 1994 --

11          A     Right.

12          Q     -- had used the powerful medium of TV  
13 carefully targeted to key states and congressional  
14 districts?

15          A     It sounds logical.

16          Q     And when you were raising money in the

LaPierre Dep

17 year 2000, did you tell your fellow NRA members who  
18 you were -- well, let me step back a minute.

19 On many occasions during the year 2000,  
20 you asked your fellow NRA members to make  
21 contributions to help NRA in its --

22 A Right.

□

208

1 Q -- efforts to get its message across in  
2 the political context, correct?

3 A That's correct.

4 Q Okay. And in those letters, did you tell  
5 your fellow members of the NRA who you were asking  
6 for money that Americans will vote our way if they  
7 hear NRA's message in time?

8 A We always believe that --

9 Q Okay.

10 A -- that if NRA's side of the story is  
11 told, the public will vote with us.

12 Q Okay. Now, I asked you before how  
13 successful the PVF was in raising money in the year  
14 2000. How successful was NRA in raising money in  
15 the year 2000 for broadcast ads, period?

16 A They're, in terms of raising money in  
17 general and for broadcast ads, very successful. NRA  
18 probably raised the most money they'd ever raised.

19 Q Now, how much -- now, not focusing on the

20 subjects to which that money was turned --

21 A Right.

22 Q -- but in the year 2000, how much money

□

209

1 did NRA raise?

2 A If you add up the entire organization for  
3 NRA, including ILA and including the PVF, you're  
4 probably talking about 190 to 200 million.

5 Q But that's of course going for --

6 A That's everything.

7 Q -- your salary, the salary of all the  
8 people that work for you?

9 A That's everything. The health benefits,  
10 everything.

11 How much money did NRA raise in special  
12 fund-raisers on the NRA side? If that's your  
13 question, probably 11 million, something like that.

14 Q So that would be -- when you said the PVF  
15 raised something, you said seven, and you said maybe  
16 10.

17 A Or it could be more.

18 Q So would it be fair to say that NRA --

19 A Right.

20 Q -- period, not that NRA-PVF or NRA-ILA --

21 A Right.

22 Q -- and PVF raised about each the same

□

210

1 amount of money?

2 A I think NRA raised -- NRA probably raised  
3 11 for -- in special appeals. I think PVF probably  
4 raised your seven to 10 figure is probably accurate.  
5 And I think ILA probably raised 23, 24, 25,  
6 something like that, million.

7 Q That makes even what we're trying to find  
8 the letters of ILA --

9 MR. COOPER: Just a point of  
10 clarification. Was this -- are you referring to  
11 fund-raising in the year 2000?

12 THE WITNESS: That's correct.

13 MR. COOPER: Okay.

14 THE WITNESS: Well, with the Political  
15 Victory Fund, I may have been talking the cycle.  
16 With the rest of it, I was talking about 2000.

17 MR. COOPER: That was my precise  
18 consideration that I asked the question.

19 BY MR. SCHWARZ:

20 Q And I've seen in some publications that  
21 NRA, and people were using that in the broadest  
22 sense --

1 A Right.

2 Q -- in the publications, spent something  
3 like \$20 million in the electoral effort for the  
4 year 2000. Does that number sound right to you?

5 A I think if you add all that up, that's  
6 probably accurate.

7 Q Okay. Are you able to say in rough  
8 terms --

9 A Right.

10 Q -- the one infomercial that does  
11 concentrate on Gore, the one I call Heston Union --

12 A Right.

13 Q -- and I think you've accepted that, too?

14 A I have.

15 Q Are you able to say roughly how much NRA  
16 spent on that ad, that infomercial?

17 A If I had to bet, I don't know exactly, I  
18 would say NRA spent millions --

19 Q Okay.

20 A -- maybe six.

21 Q We've talked about battleground --  
22 presidential battleground states and that there was

LaPierre Dep

1 at least a heavy concentration of broadcast  
2 advertising in presidential battleground states.  
3 A (Indicating in the affirmative.)  
4 Q Now, I want to ask you a couple of  
5 questions about what markets you picked within  
6 presidential battleground states; in other words, in  
7 Minnesota, in Wisconsin, in Pennsylvania, in West  
8 Virginia, in Pennsylvania, if I hadn't mentioned it.  
9 There is more than one market, correct?  
10 A That's correct.  
11 Q More than one TV market and more than one  
12 radio market; is that correct?  
13 A That's correct.  
14 Q Let's focus on the spot ads for a moment.  
15 A The 60, 30-second ads.  
16 Q Within a battleground state --  
17 A Uh-huh.  
18 Q -- did either NRA or the PVF --  
19 A Uh-huh.  
20 Q -- make choices as to which market --  
21 market or markets within the battleground state to  
22 concentrate on?

□

213

1 A On the 60 and 30-second ads, PVF would  
2 have made those decisions. And, yes, they would  
3 have made decisions based on which markets they



4 concentrated on.

5 Q And what were the criteria, focusing on  
6 PVF, PVF would have used in deciding which markets  
7 within battleground states they would have  
8 concentrated on?

9 A They would have looked at areas that they  
10 desire to impact and have their message heard. It  
11 probably would have been areas they thought on the  
12 60 and 30-second ads that PVF did where gun owners  
13 and hunters and sportsmen and union folks were --  
14 people like that, people that hunted, people that  
15 owned guns, people that fished, people that went  
16 outdoors.

17 Q And another way of characterizing that  
18 class of persons that you mentioned --

19 A Uh-huh.

20 Q -- is they were people who you  
21 concluded -- you and your colleagues concluded were  
22 most likely to be affected by the NRA message and,

□

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1 therefore, to vote the way PVF was asking them to  
2 vote, correct?

3 A That's correct.

4 Q Now, with respect to NRA spot ads, for  
5 example, on radio --

6 A Right.

7 Q -- that are in presidential battleground  
8 states, you went through exactly the same analysis,  
9 didn't you?

10 A I don't remember us at the -- I don't  
11 think the NRA on the NRA side -- are you talking  
12 about the ads in March now are you talking about?

13 Q No. I'm talking about -- fair point. I  
14 want to concentrate on the 60 days before the  
15 election.

16 A I don't think NRA did any -- I don't think  
17 the NRA did any radio or TV 60 or 30-second ads  
18 prior to the --

19 Q In the 60 days prior.

20 A NRA did the infomercial.

21 Q And you don't think that NRA did any  
22 radio?

□

215

1 A No, I don't.

2 Q Okay.

3 A I would have signed off on it. I don't  
4 remember signing off on any. And it's not something  
5 we do in the ordinary practice of the organization.

6 Q why is that?

7 A Because you're talking a political ad.  
8 And if the political ad is done, it's done out of  
9 the Political Victory Fund if it's for or against

LaPierre Dep

10 the candidate or if it's an election ad.

11 Q Well, when you say for or against, I  
12 understand what you're talking about.

13 A Uh-huh.

14 Q When you say it's an election ad, what do  
15 you mean?

16 A If it's an ad that's talking about what's  
17 going on with the political campaign and stuff like  
18 that, I mean, it -- we tend to let ILA try to do  
19 those ads --

20 Q Okay.

21 A -- and PVF. PVF.

22 Q Well, NRA is part of ILA.

□

216

1 A That's correct.

2 Q Excuse me. ILA is part of NRA.

3 A That's correct.

4 Q Did either NRA full stop or NRA-ILA run  
5 spot ads on radio and TV --

6 A Right.

7 Q -- in the 60 days prior to the election  
8 that mentioned a candidate for federal office?

9 A NRA -- I try to listen. NRA ran  
10 infomercials.

11 Q I'm talking about spot ads.

12 A I do not believe that NRA ran any spot ads

LaPierre Dep

13 60 or 30 days, NRA. ILA -- I think the PVF ran  
14 those types of ads. I don't know whether ILA did or  
15 not, to tell you the truth. I just -- I don't --  
16 they could have run ads just talking about the issue  
17 in general. They could have run ads talking about  
18 this type of stuff.

19 Q What do you mean by "this type stuff"?

20 A You know, the -- the Seth Waxman letter at  
21 the Department of Justice and all of that. They  
22 could have done that. I just don't know whether

□

217

1 they did. I know there were ads run. There were  
2 ads run that were 60. There were ads run that were  
3 30. I know that they were -- they were within the  
4 Institute for Legislative Action and the Political  
5 Victory Fund.

6 I believe most of them were done through  
7 the Political Victory Fund, because I think they got  
8 candidate specific in terms of vote for or vote  
9 against with the NRA. NRA wants you to vote for or  
10 vote against.

11 There may have -- whether there were any  
12 ILA ads that were -- that did not have that NRA  
13 wants you to vote for or against, but talked about  
14 the issue, I just -- there may have been. There may  
15 not have been. I just don't know. I just, you

LaPierre Dep

16 know.

17 Q Okay. You've exhausted your information

18 now.

19 But with respect to NRA --

20 A Right.

21 Q -- not NRA-ILA --

22 A Right.

□

218

1 Q -- but is it your testimony that no NRA  
2 spot ads would be run without your approval?

3 A I believe that's correct.

4 Q Okay. Now, ILA we've talked about a lot  
5 today. And ILA is part of NRA. And ILA functions  
6 either as the PF -- PVF or as ILA itself, correct?

7 A Yes. There is -- there is the ILA  
8 director is the chairman of the Political Victory  
9 Fund. And the various division directors within ILA  
10 are board members of the Political Victory Fund.

11 Q And you appoint the director, and the  
12 director reports to you?

13 A That's correct.

14 MR. SCHWARZ: Okay. So let's take a  
15 3-minute break for whatever reason.

16 (Recess.)

17 THE WITNESS: Just for the record, the --  
18 the distinction between ILA and the PVF and NRA, PVF

LaPierre Dep

19 is a -- under a separate entity. It has its own set  
20 of books that they keep. It has its own tax status.  
21 It files its own report to the FEC.

22 Jim Baker chairs the Political Victory

219

1 Fund, is also the director of ILA. But the PVF is a  
2 separate entity from ILA, which is a separate  
3 entity. And ILA has its own fiscal office and its  
4 own functions that are designated in the bylaws,  
5 also.

6 But Jim Baker chairs -- or used to chair,  
7 now Chris Cox does -- chairs both ILA and the PVF.

8 BY MR. SCHWARZ:

9 Q Okay. And if I take it that is an  
10 elaboration or a correction of part of your prior  
11 testimony, is there anything else you've said that  
12 you want to elaborate on or correct?

13 A No.

14 Q By the way, was Ms. Metaksa -- who was in  
15 charge of the ILA in 1994?

16 A Tanya Metaksa would have been. I think  
17 Jim left in early '94, probably February of '94.  
18 And Tanya Metaksa would have been the director of  
19 ILA during the election cycle in 1994.

20 Q So to the extent that credit is given for  
21 the success that NRA said in the elections in 1994

22 would be Metaksa rather than Baker that would get

□

220

1 credit for that success?

2 A Tanya would have been the director during  
3 the -- yeah, during the election of '94.

4 Q Okay. And in '96, who was the director?

5 A Boy, I think --

6 Q I think Metaksa was.

7 A Let me. '94, '96. I believe Jim Baker  
8 left or Tanya left in the late spring, early summer  
9 of '98 maybe. '98. '98, I think. And I think Jim  
10 would have been the director in the '98 cycle.

11 Q And the 2000 cycle?

12 A And the 2000 cycle. I think Tanya would  
13 have been the director in the '96 cycle.

14 Q Okay. Now, you testified a little bit  
15 about where spot ads relating to the presidential  
16 race were placed within battleground states. And  
17 you said you went to places essentially where there  
18 were hunters and gun owners and NRA members and,  
19 therefore, people who would be more likely to vote  
20 the way you wanted them to, correct?

21 A That's correct. I didn't place the ads.  
22 But that would be the -- the -- it would be

1 reasonable to assume.

2 Q All right. And would that equally --  
3 where you had a Senate, which is, by definition, a  
4 statewide race, would the same consideration apply  
5 on where within close Senate races ads were placed?

6 A Yes.

7 Q When -- you get a lot of information, and  
8 your colleagues in NRA and the ad agencies get a lot  
9 of information about what's going on politically.  
10 And you testified about that shortly after lunch,  
11 correct?

12 A That's correct.

13 Q Now, does the information you get include  
14 information on where candidates, political parties,  
15 and other groups are running ads?

16 A Most of the time, it doesn't. I mean, you  
17 see -- you see stuff in the paper from time to time  
18 about this or that. But, no, most of the time it  
19 doesn't. I mean, you -- no. Most of the time it  
20 doesn't.

21 Q But some of the time it does?

22 A Some of the time it does. I mean, you see



1 a -- see a newspaper story that this group is doing  
2 this or that group said -- I'll give you an example.  
3 It was just -- it's been widely reported on John  
4 Dingell's primary that he came through in Michigan  
5 that Emily's List was running up there very heavy in  
6 terms of advertising and stuff like that. The  
7 unions were up there running stuff. We were up  
8 there. I mean, that -- that was all in the  
9 newspaper articles.

10 Q And apart from what you may pick up in  
11 newspaper articles, do your advisors from outside  
12 NRA tell you from time to time about what other  
13 groups are running ads in which locations?

14 A No, not really.

15 Q Okay.

16 A No. I mean, it -- no.

17 Q And does the Cook Report have any section  
18 in it that talks about what the various interest  
19 groups and campaigns are doing, or does it just say  
20 here is how the elections look, are they close, or  
21 are they not close?

22 A Those newsletters have that type of

□

1 information.

2 Q which type?

3 A About what other groups are doing or could  
4 be expected to do and stuff like that. I mean, that  
5 is -- I don't know specifically that -- I'm sure the  
6 Cook Report does it. I'm sure all of them do it  
7 from time to time. I mean, I've read -- yes.

8 Q Okay. So that is material that in '96,  
9 '98, 2000, you would have read during the course of  
10 the political season, correct?

11 A If it -- if it was out there and we would  
12 have read it.

13 Q Okay. Do you have any idea in a -- in a  
14 market which is in a battleground state or is in a  
15 state where there is a close Senate election or is  
16 in a district where there is a close House election,  
17 do you have any idea how many ads, referring to the  
18 candidates, a viewer in such a market is going to  
19 see in, let's say, the last 60 days?

20 A I don't. But it's probably a lot. I  
21 mean, I don't have any special information on that.  
22 But it's a lot.

□

1 Q You, indeed, the NRA and its branches, if  
2 I could use that term --

3 A Right.

4 Q -- would sometimes run scores of ads in a

LaPierre Dep  
5 given market in a couple of days, correct?  
6 A That's correct.  
7 Q And if you're doing that, many other  
8 people are doing it, correct?  
9 A That's correct.  
10 Q And, indeed, NRA -- in terms of groups --  
11 A Uh-huh.  
12 Q -- NRA is not anywhere near the top in  
13 terms of number of ads run, is it?  
14 A Again, we say the NRA, I'm speaking about  
15 now for the entire organization, including the PVF  
16 and ILA. But NRA is very active. I mean, I don't  
17 know whether NRA is in the top, but I bet the NRA is  
18 in the top bracket.  
19 Q And the top bracket would be the top 20?  
20 A Oh, definitely.  
21 Q But you're not in the top 10, are you?  
22 A You know, I've never seen a list of who's

□

225

1 in the top 10. But I -- we're very active.  
2 Q Okay. So in a market, if you're a viewer,  
3 you're Mr. Voter, or Ms. Potential Voter or  
4 Mrs. Potential Voter, and you're in an important  
5 battleground state, maybe one that has both a --  
6 let's take Michigan. Can we focus on Michigan?  
7 A Sure.

8 Q Michigan was a battleground state in the  
9 presidential race, right?  
10 A That's correct.  
11 Q And there was a close race between  
12 Mr. Abraham and Ms. Stabenow, correct?  
13 A That's correct.  
14 Q And you were running ads principally in  
15 Saginaw, in Flint, and places like that, correct?  
16 A I believe that's correct.  
17 Q Places that are more likely to have gun  
18 owners and hunters and NRA members, correct?  
19 A That's correct.  
20 Q So take any one of those places.  
21 A Right.  
22 Q Saginaw -- I think it's Saginaw City or

□

226

1 something like that.  
2 A Okay.  
3 Q Do you have any idea how many ads that  
4 deal with -- that dealt with Bush/Gore, or  
5 Abraham/Stabenow a viewer in one of those markets  
6 would see in the month of October?  
7 A No, I don't have any idea exactly how  
8 many. Although what NRA -- I believe NRA-PVF did a  
9 fairly extensive buy up there. And -- and I believe  
10 we ran enough infomercial up there to the point --

LaPierre Dep

11 on the NRA side where people have would seen NRA's  
12 message and -- and I don't know how many times.

13 Q If one was somebody who listened to the  
14 radio and watched TV every day --

15 A Right.

16 Q -- and you were in one of those markets --

17 A Right.

18 Q -- would you be surprised if you would see  
19 or hear several thousand ads during the month of  
20 October? I don't mean NRA ads. I mean total ads.

21 A I don't have any particular expertise as  
22 to how many ads as a whole ran other than I -- I

□

227

1 mean, as a -- as a citizen, there are a lot of --  
2 there are a lot of political ads during the election  
3 cycle.

4 Q Do you live in Virginia?

5 A I live in Virginia. I mean we are --

6 Q There were a lot of ads in the year 2000  
7 in the last 60 days in Virginia, right?

8 A There were.

9 Q Including whatever market it is that  
10 you --

11 A There were. In Northern Virginia, yeah.

12 Q I didn't ask you about your address, and I  
13 didn't care you about your address.

LaPierre Dep

14 A Right.

15 Q But usually they force you to ask the  
16 witness about what their address is. Why I'm not  
17 exactly sure. So --

18 A In that Northern Virginia media market,  
19 which is where I live, I saw a ton of ads.

20 Q A ton. Right. And some of those ads  
21 asked people to vote for Bush, right?

22 A Right.

□

228

1 Q Some of those ads asked people to vote for  
2 Gore, right?

3 A That's correct.

4 Q Some of those ads asked for people to vote  
5 for Allen, right?

6 A That's correct.

7 Q And some of those people -- ads asked  
8 people to vote for Robb, correct?

9 A That's correct.

10 Q And then there are other ads in the same  
11 market which, for example, talked about what was bad  
12 about Robb without saying vote for Allen, correct?

13 A Correct.

14 Q And some of them -- other ones which said  
15 what was bad about Allen without saying vote for  
16 Robb, correct?

LaPierre Dep

17 A Correct.

18 Q And, similarly, there were ads there that  
19 said what was bad about Gore without saying vote for  
20 Bush, correct?

21 A Correct.

22 Q And there were ads there that said what

□

229

1 was bad about Bush without saying vote for Gore,  
2 correct?

3 A I think I remember all those types of ads  
4 running.

5 Q Right. And now I'm now talking to Wayne  
6 LaPierre as a viewer of television, not as the head  
7 of NRA.

8 A Right.

9 Q Okay. And you're subjected to a ton of  
10 ads, some say vote for, some say don't vote for,  
11 some say the person is bad but don't say vote for  
12 the opponent, and so forth. And you get this ton of  
13 ads being foisted upon you on the television and the  
14 radio, correct?

15 A Right.

16 Q From your point of view, does it make any  
17 difference when you're listening to an ad, you,  
18 Wayne LaPierre, viewer, when it ends up saying vote  
19 for Allen or vote for Robb, or it doesn't do that

20 and just says what a terrible person Allen is or  
21 what a terrible person Robb is, does it make any  
22 difference to you?

□

230

1           A     It's all information. I guess what the  
2 public does is they look at that and they look at --  
3 and they make their decisions. I mean, whether --  
4 whether it makes any difference, I mean, it's all  
5 information that you're putting in the -- the  
6 listener. And they make their own judgment as to  
7 how it impacts them.

8                     But my point, I mean is, the information  
9 that the listener gets is not limited to those ads.  
10 I mean, every time you turn on the Today Show, every  
11 time you turn on ABC, NBC, CBS, every time you turn  
12 on your television and hear the President, every  
13 time you -- I mean, this whole media culture we're  
14 in as a whole has just as much, if not more, impact  
15 on the viewer than those particular ads that may be  
16 running only during -- during any election cycle.

17                     And those other information sources within  
18 the election cycle continue on. The Today Show, the  
19 CBS News, the Prime Time specials, the -- the -- all  
20 those big media conglomerates, many of which have  
21 agendas in terms of political candidates, continue  
22 on in the cycle; and they have an impact also.



1                   So I think the -- I think the viewer makes  
2 his decision based on the totality of the  
3 information that hits the viewer, and they process  
4 it all and make a decision. And I don't know  
5 whether the for or against or whether the  
6 information ads or whether the media ads in  
7 general -- they all contribute, I think.

8           Q     So but -- and that's a fair answer.

9                   But I want to keep you a little bit  
10 narrowly confined to the ads.

11          A     Right.

12          Q     And as you're saying, you sit there in  
13 your home, and you're subjected to a ton of ads on  
14 TV and a ton of ads on the radio that you may hear,  
15 whether you're in your car driving to work -- do you  
16 drive to work?

17          A     Yes, I drive to work.

18          Q     Don't take mass transit to work?

19          A     I haven't been lately, I've got to admit.

20          Q     Anyway, you drive to work, and you hear  
21 radio -- you're subjected to radio ads.

22          A     Right.

1 Q And it's a ton of them.

2 A Right.

3 Q And does it make any difference to you or  
4 to another viewer whether the ad ends up with  
5 2 seconds saying vote for Robb or vote for Allen  
6 after having spent a long time saying what a bad  
7 person Allen is or Robb is or just says what a bad  
8 person Allen is or Robb is?

9 After you've been subjected to this  
10 cacophony of -- unrelenting cacophony of ads for 60  
11 days, they all run together, and you understand them  
12 all to be hoping to influence you to vote either for  
13 X or against Y; isn't that correct?

14 A It's so subjective. I mean, I -- I know  
15 what you're saying. But I honestly -- I mean, if  
16 I'm running an ad trying to specifically influence  
17 an election, if I can say vote for or against, the  
18 NRA-PVF wants you to vote for this candidate or  
19 against this candidate, I think that that -- that's  
20 a very strong message.

21 On the other hand, I mean does a message  
22 that we run in general have an impact? Yeah, it

LaPierre Dep

1 probably does. I mean, do we want it to? Yes. The  
2 infomercials.

3 Q Yes, sir.

4 A But is it as powerful as the NRA wants you  
5 to vote for, against? Probably not. Does it  
6 influence people? Yes. Does it -- I mean, but you  
7 could say the same thing about what everyone else is  
8 doing out there, what the unions are doing, what the  
9 President did, what the networks do.

10 I mean, what's it worth to have NBC do a  
11 show showcasing your candidate? As a corporate  
12 expenditure by -- by the NBC -- by General Electric?  
13 Or Disney on ABC showcase and profile a candidate.  
14 I mean, what's that worth in terms of the value  
15 you're talking about?

16 That's where I think these guys up on the  
17 Hill totally miss this whole debate. The debate is  
18 about the culture in the country. They look at it  
19 only from their viewpoint. And that's where I  
20 personally -- I'm getting off on a tangent, but it's  
21 where I take issue with them.

22 Q You're aware that political candidates run

□

234

1 ads, right --

2 A I am.

3 Q -- on television and on radio? And

LaPierre Dep

4 they're usually spot ads, right, 60-second ads?  
5 A They are.  
6 Q And you're aware that political parties  
7 run ads on television and on radio, correct?  
8 A That's correct.  
9 Q And those are usually spot ads, too?  
10 A That's correct.  
11 Q Thirty seconds or 60 seconds?  
12 A Right.  
13 Q Now, are you aware that most ads from  
14 political candidates do not end up by saying vote  
15 for the candidate?  
16 A No, I was not aware. They do a pretty  
17 clear -- they may not say vote for, but they say  
18 support or cast your ballot or -- I mean, most of  
19 those ads are pretty clear the candidates run in  
20 terms of --  
21 Q Are you testifying that your experience is  
22 that most candidate ads use words like support, or

□

235

1 is it not --  
2 A Maybe they don't.  
3 Q Maybe they don't.  
4 A I'm thinking about it. That could very  
5 well be true what you're saying. They may just  
6 showcase the candidate.

7 Q Or criticize the candidate on the other  
8 side, correct?

9 A That's correct. But they usually end with  
10 a tag line Robb for Senate or Allen for Senate or at  
11 some point --

12 Q Don't they usually end with a tag line  
13 like paid for by friends of Robb or paid for by  
14 friends of Allen?

15 A They do that, too.

16 Q Isn't that the tag line, not Robb for  
17 Senate or Allen for Senate?

18 A I've seen it both ways. Probably most of  
19 them do what you said. Probably most of the radio  
20 ads do what you said.

21 Q And with respect to the ads done by  
22 political parties, are you aware that the

□

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1 overwhelming majority of those ads do not say vote  
2 for or support or anything else of that kind?

3 A I am --

4 Q Instead, what they do is either praise the  
5 person they want to get elected or provide  
6 information that will be taken by viewers as  
7 critical of the person they don't want to get  
8 elected.

9 A I agree with you.

10 Q So what the political parties are doing is  
11 exactly the same as what you do in the NRA  
12 infomercial infomercials; is that correct?

13 A The parties -- yes.

14 Q Okay.

15 A Except I would put they weren't under  
16 attack like we were under attack. Well, they might  
17 disagree with that. Yeah, it's a political  
18 discussion. Except theirs are always candidate  
19 specific, and ours are in terms of -- I mean, we're  
20 defending the second amendment. That's our main  
21 purpose of being there. The political parties, when  
22 they do it, are more specifically directed toward an

□

237

1 election.

2 Q And you think that, when you run an  
3 infomercial that has at least 50 critical remarks of  
4 Al Gore, that's not related to the candidate?

5 A I think it -- it's related to the  
6 candidate, but it's also related to the broader  
7 context of the attack these folks were doing on the  
8 second amendment and what we stand for and the  
9 political debate surrounding that.

10 I mean, the Republican National Committee  
11 or Democratic National Committee is not -- when they  
12 do it, they're not running an ad standing for the

LaPierre Dep

13 fourth amendment or something like that. They are  
14 running an ad because they want to get a candidate  
15 elected or defeated. And, ultimately, we're trying  
16 to protect the second amendment.

17 Q But let's focus on what political parties  
18 typically do cover in their ads. I mean, the  
19 subject of social security, for example, that was  
20 covered in a lot of ads in the presidential race in  
21 2000, right?

22 A That's correct.

□

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1 Q And both the Republicans and the Democrats  
2 in ads that are run in the 60 days prior to the  
3 election and mention Gore or Bush and don't say vote  
4 for or support will talk about an issue like social  
5 security, correct?

6 A Correct.

7 Q And that issue is something about which  
8 the party running the ad has a dual motive just like  
9 you said NRA does.

10 First, they want to prevail on the social  
11 security question, either side of it. And, second,  
12 they want to use what they say about social security  
13 to help their candidate win or to cause the other  
14 candidate to lose, correct?

15 A I guess that's true. I just think we're  
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LaPierre Dep

16 completely different than the parties. I mean, I  
17 said from the start I could care less what -- and  
18 NRA could care less what the parties do one way or  
19 the other.

20 But to say that -- and I've given speeches  
21 on college campuses. I do tons of speeches on  
22 college campuses to say this -- to say that somehow

□

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1 it's okay for Disney, which owns ABC, General  
2 Electric, which owns NBC, Time Warner CNN, which  
3 owns whatever, for them to -- to -- to do whatever  
4 they want to do working with political candidates  
5 and relay a missed message to American culture. And  
6 it is a completely different situation when you have  
7 a group like the NRA out there defending the cause  
8 against that onslaught than what we see going on  
9 with the political parties.

10 Q But the -- I talked about political  
11 parties. You talked about political parties. Then  
12 you brought in General Electric and Time Warner and  
13 so forth. I want to stick to the political parties.

14 A Okay.

15 Q Because first you agreed a few minutes ago  
16 that the political parties, when they run their  
17 ads --

18 A Right.



19 Q -- don't say vote for --

20 A That's correct.

21 Q -- or vote against Smith, don't say

22 support Jones or don't support Smith --

□

240

1 A Right.

2 Q -- but, rather, deliver a message --

3 A Right.

4 Q -- that they hope will lead voters to vote  
5 against Jones or vote for Smith, correct?

6 A I think that's fair.

7 Q Okay. Now, using that generic description  
8 of what political parties do and a generic  
9 description of what you at the NRA do, it's the same  
10 thing, isn't it, in those generic terms?

11 A With the exception of the fact that we are  
12 defending a cause and a principle that is under  
13 attack by politicians. And they are -- they are  
14 simply using issues to further their politicians one  
15 way or the other. We are defending a cause and a  
16 principle that's under attack by politicians and are  
17 joined in that attack by the big media companies.

18 And we -- the only thing that holds the  
19 attacker accountable is the paid media that we're  
20 able to purchase to get our side of the story out,  
21 because the media already tells Al Gore's side of

22 the story and Bill Clinton's side of the story.

□

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1 They repeat it over and over and over again.

2           And that's where I think we're different  
3 than political parties. I mean, I just do. I mean,  
4 I've done a thousand speeches on it to college  
5 campuses.

6           Q    The political party is also -- the  
7 political parties also try to respond to things that  
8 worry them in the media, don't they?

9           A    They do.

10          Q    Okay. Now, we talked a little bit about  
11 what work was done to decide to run ads that talked  
12 about the Clinton-Gore Justice Department and  
13 potential Clinton -- excuse me, Gore appointees to  
14 the Supreme Court, correct?

15          A    Correct.

16          Q    And you thought that was an important  
17 issue from a second amendment point of view,  
18 correct?

19          A    For the second amendment, Supreme Court  
20 appointments are critical in the long run. And  
21 this -- the position that the President Clinton and  
22 the Gore Justice Department took were critical in

1 terms of the second amendment debate.

2 Q Right. And you also thought that, with  
3 respect to the voters you were trying to appeal  
4 to --

5 A Right.

6 Q -- that those were issues that would  
7 resonate with them and you hoped would cause them to  
8 vote for Bush or against Gore, correct?

9 A Correct.

10 Q Okay. Now, in those ads -- I want to take  
11 the detail that's in those ads. It refers to  
12 warning -- those ads include warnings that a Gore  
13 Presidency would appoint Hillary Clinton or Charlie  
14 Schumer or Diane Feinstein to the Supreme Court,  
15 right?

16 A I do remember we said that.

17 Q Now, what analysis was there -- what  
18 analysis was done to decide that mentioning Hillary  
19 Clinton, for example, would or would not be useful  
20 in the markets that you were running those ads?

21 A I don't know that we did any analysis  
22 other than you go to any group of people that hunt

1 and own firearms in the United States and talk to  
2 them, and you mention those names, and they just  
3 shake their head because they've seen their public  
4 positions and they've seen their public statements.

5 Q So the reference to Hillary Clinton,  
6 Charlie Schumer and Diane Feinstein you would also  
7 pick because you thought it would resonate with the  
8 voters you were trying to reach, and you thought it  
9 would make it more likely they would vote for Bush  
10 and against Gore, correct?

11 A I mean correct. They're the people that  
12 attacked the second amendment. They are also the  
13 people that energize our people in terms of joining  
14 the NRA, in terms of contributing to the NRA, in  
15 terms of supporting the NRA.

16 So, politically, yes. But also in terms  
17 of infomercial, if it signs up members, it gets  
18 people to contribute, and it gets people to get  
19 active, I mean, those are the people -- I mean,  
20 Chuck Schumer, Senator Schumer said he did not think  
21 second amendment -- pro second amendment judges  
22 should be confirmed.

□

1 Q You know, it's interesting you refer to

LaPierre Dep

2 Senator Schumer and Chuck Schumer. Don't all the  
3 ads refer to Charlie Schumer, and you thought -- you  
4 thought it would affect the voters?

5 A We didn't want to cast him in the best of  
6 life. Charles -- not only in the election, but  
7 yeah.

8 Q That's a fancy way of saying yes to my  
9 question, isn't it?

10 A But we do it in general, too, not in terms  
11 of an election. But in terms of -- in general, we  
12 calls him Charles Schumer.

13 Q You call him Charlie, actually?

14 A Charlie, I think that would be more  
15 positive.

16 Q Really?

17 A Yeah.

18 Q Okay.

19 A Usually, with a voter, the more official  
20 sounding you are, the worse it gets so --

21 MR. GILLIGAN: They'll have to fix that  
22 the next time, I suppose.

□

245

1 MR. COOPER: Chuck and Charlie are good.

2 MR. GILLIGAN: Get Mr. Ackerman on the  
3 phone.

4 BY MR. SCHWARZ:

LaPierre Dep

5 Q When you made the decision whether to use  
6 NRA PAC or NRA, and I don't care whether it's NRA  
7 full stop or NRA-ILA --

8 A Right.

9 Q -- but when you made the decision between  
10 NRA PAC and the other parts of NRA --

11 A Uh-huh.

12 Q -- were there any factors that you took  
13 into account other than whether the ad used any of  
14 the magic words in the Supreme Court's Buckley  
15 opinion?

16 A Yes. There were -- the -- the main factor  
17 in this whole thing was the fact that -- we were  
18 under vicious outrageous attack by the Clinton-Gore  
19 political machine in conjunction with their friends  
20 in the media companies, in conjunction with the anti  
21 groups, saying the worst possible things about us.

22 And every Democratic consultant tells us

□

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1 the strategy was to demonize the NRA. That was  
2 their strategy. They admitted it publicly. We were  
3 going to make it so everybody in America hated you  
4 guys.

5 So the strategy was, in that cultural war  
6 I talk about, we had to use every resource we could  
7 use within the organization to survive and defend

LaPierre Dep

8 the second amendment because we were outgunned about  
9 10 to 100 to one. And we used -- in terms of the  
10 cultural debate, we used NRA resources. We used ILA  
11 resources, the political resources.

12 when it -- when it -- we used all of them.  
13 It -- when you get into an election cycle, we  
14 realized that the PVF was going to be spending their  
15 money on elections. ILA was spending a lot of their  
16 money on member specific things that were not  
17 independent expenditures or anything like that.

18 And we wanted to, within the cultural  
19 debate and also within the political debate, to use  
20 any -- any NRA resources that were legally allowed  
21 to use also; and we did that.

22 Q Yeah, but the question was: In making

□

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1 your decision to have certain ads run by the PAC --

2 A Right.

3 Q -- was -- did you take into account any  
4 factor other than whether or not the ad was going to  
5 use any of the magic words that are in the Supreme  
6 Court's Buckley opinion?

7 A NRA tries to conserve the PAC dollars.  
8 NRA-PVF conserves the PAC dollars for what are  
9 called independent expenditures or for specific  
10 election activity where, by law, you're required to

LaPierre Dep

11 use PAC dollars.

12 Q So am I right, then, that -- when I use  
13 that expression, magic words in the Buckley opinion,  
14 does that mean anything to you?

15 A I assume you're talking about the  
16 distinction between independent expenditures and  
17 between -- between the other restrictions that come  
18 into play that are not independent expenditures.

19 Q Have you ever read any portion of the  
20 Buckley opinion?

21 A I've read portions. I haven't read it  
22 all.

□

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1 Q And have you read the footnote in which  
2 they define what -- what kind of communications  
3 would constitute independent expenditures?

4 A You know, I can't remember it if I did. I  
5 may or may not have. But we have a legal staff  
6 within our building that has read it and advises  
7 us --

8 Q Okay.

9 A -- in terms of how we stay in compliance,  
10 because we are looked at all the time. We have the  
11 FEC in our building every other month. So, yeah,  
12 we're looked at all the time.

13 Q So I think you have said the only reason



LaPierre Dep

14 for choosing the PAC as opposed to either NRA or  
15 NRA-ILA is that the ad is going to end up by saying  
16 vote for or vote against or reject or support or any  
17 of those kinds of words?

18 A We try to conserve PAC dollars for those  
19 types of expenditures by law, which you're required  
20 to do that.

21 On the other hand, the other big reason,  
22 as I said at the start, was we were under vicious

□

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1 attack. And I -- we wanted to bring in this  
2 cultural debate. And we used as many of our  
3 resources as we could in the organization to have  
4 our side heard to the American public.

5 And some of that did not have to be done  
6 by the PAC. Some of it could be done on the other  
7 side. And it was all within a cultural debate  
8 format that went on.

9 Q Okay. So -- all right. Now, I want you  
10 to continue to focus on the year 2000 and focus on  
11 broadcast ads --

12 A Okay.

13 Q -- and focus on broadcast ads that mention  
14 a candidate for federal office, okay.

15 A Okay.

16 Q And the broadcast ads that were run in the

17 60 days before the November 2000 election. Okay.

18 So you have all those parameters in mind.

19 A Okay.

20 Q Now, there were a number of PAC ads that

21 ended up by saying vote George W. Bush for

22 President, correct?

□

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1 A I believe that's probably true.

2 Q You know it's true, don't you?

3 A I think it is. I can't remember how they

4 tagged them, but it makes sense to me; and I would

5 agree with you.

6 Q Okay. Whether it says --

7 A I'm not trying to be evasive. I just

8 can't remember how they tagged them. But it makes

9 sense to me that they tagged them.

10 Q Whether it says vote George W. Bush for

11 President or vote Bush for President --

12 A Right.

13 Q -- or a variant of those terms, it had the

14 word "vote" and the word "Bush" and the word

15 "President" in it?

16 A I wouldn't dispute the point.

17 Q And the NRA Victory Fund ran a lot of

18 those ads both on radio and TV, correct?

19 A Yeah, they did.

20 Q Okay. And all of those ads talked about  
21 some substantive issue or issues before concluding  
22 by asking viewers to vote for Bush, correct?

□

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1 A I think they did. I think most of them  
2 that I remember tried to lay out the Clinton-Gore  
3 track record.

4 Q And particularly the Justice Department  
5 and the threat of the Supreme Court, correct?

6 A Those were two along with the other stuff  
7 that they were doing, the mandatory federal test  
8 before you could buy a gun, and stuff like that.

9 Q I don't think you ran any ads in the last  
10 60 days that covered that subject.

11 A That could be. We -- it was one of the  
12 things being talked about.

13 Q My colleague says you may have run some of  
14 those. But most of those were the Supreme Court and  
15 the Justice Department.

16 A I just remember the hot button issues  
17 where, if you had a list, there were about seven  
18 things that were hot issues that President Clinton  
19 and Vice President Gore had done that we were  
20 highlighting.

21 Q Okay. So now, in any event, there were a  
22 lot of these ads run by the PVF that conclude by

1 saying vote for Bush or vote for George W. Bush or  
2 whatever --

3 A Right.

4 Q -- correct?

5 A I accept that as true.

6 Q Okay. Now, to be effective in persuading  
7 voters to vote the way you want to, you can't just  
8 say vote for Bush, can you? You have to have a  
9 substantive message that comes before then, correct?

10 A Sometimes. But I mean name IDs is  
11 important. I know a lot of candidates that run  
12 10-second spots just mentioning their names.  
13 Message helps, yes, I think.

14 Q And you, NRA, always ran messages before  
15 ending up saying vote for?

16 A I think that's true.

17 Q Now, we've agreed that Charlton Heston has  
18 a marvelous voice.

19 A He has a great voice.

20 Q It's a mellifluous voice, correct?

21 A Yes, he does.

22 Q So even if Charlton Heston was to use his

1 marvelous mellifluous voice and say vote for Bush  
2 120 times in a row in a mantra that he chants or  
3 speaks beautifully in a 60-second ad, that wouldn't  
4 be very effective use of your time and money, would  
5 it?

6 A I -- I'm not sure what you're driving out.  
7 But Charlton Heston saying vote for or against  
8 anyone helps because people like Charlton Heston.  
9 So it -- I mean, the same reason Bill Clinton uses  
10 Barbra Streisand or someone like that.

11 Q Yes. And so it was a good thing, if you  
12 want to have the voters do what they're trying to  
13 get them to do have Mr. Heston finish the ad by  
14 saying vote for Bush or vote for George Allen?

15 A I think that probably helps.

16 Q You would never in a million years  
17 consider having Charlton Heston, even with his  
18 beautiful voice, chant vote for Bush 120 times in a  
19 60-second ad, would you?

20 A Probably not.

21 Q Probably not or not?

22 A No, we wouldn't.

LaPierre Dep

1 Q Okay. So in a 60-second ad, the -- I  
2 think we agreed earlier, probably before lunch, that  
3 the vote for part takes -- that's at the end takes  
4 about 2 seconds.

5 A That's correct.

6 Q So you got 58 seconds to get across some  
7 message that you think would be useful in persuading  
8 people to vote for, correct?

9 A That's correct.

10 Q And when the PVF ran ads, they picked that  
11 substantive message because they thought it would  
12 help persuade people to vote for Bush, correct?

13 A That's correct.

14 Q And often that substantive message was  
15 anti-Gore, correct?

16 A That's correct.

17 Q Okay. So let's give me the script of that  
18 one. I'm going to try and mark another Exhibit  
19 here.

20 (LaPierre Exhibit 5 identified.)

21 (Discussion off the record.)

22 (Recess.)

□

255

1 BY MR. SCHWARZ:

2 Q So you've had a chance to see LaPierre 5,  
3 correct?

LaPierre Dep

4 A I have.

5 Q And the -- let's now show you the script,  
6 which I'll call 5A, for a video version of the same  
7 ad.

8 Is it okay to call it 5A?

9 (LaPierre Exhibit 5A identified.)

10 BY MR. SCHWARZ:

11 Q And 5A is a one-page document with a  
12 script headed "HESTON DOJ ELECTION TV." And 5 is a  
13 one-page script headed "NRA Heston DOJ Radio:60."

14 And 5 has the NRA Bates stamp 1-0573. And  
15 5A has the NRA Bates stamp 1-0256. And they both  
16 also have Ackerman Bates stamps.

17 Now, these ads are talking about the same  
18 subjects, the identical subjects with just minor  
19 word changes in them, correct?

20 A That's correct.

21 Q Like the TV ad drops Diane Feinstein.

22 A Right.

□

256

1 Q But the substance of these two ads is  
2 identical, correct?

3 A Right.

4 Q That's correct. And they both end up with  
5 Bush for President, "Vote George W. Bush for  
6 President," correct?

7 A Right.

8 Q And they both have the same subject  
9 matter, correct?

10 A Correct.

11 Q And the subject matter is what you hoped  
12 viewers would regard as negative statements  
13 regarding Al Gore's Justice Department and what they  
14 argued in federal court and what Al Gore's Supreme  
15 Court would do, correct?

16 A Correct.

17 Q And both singled out what potential Al  
18 Gore Supreme Court Justices might do, correct? And  
19 one mentioned Hillary Clinton, Charlie Schumer and  
20 Feinstein; and the other mentions Clinton and  
21 Charlie Schumer, correct?

22 A Correct.

□

1 Q And you picked that text for a reason,  
2 correct?

3 A Correct.

4 Q And you believed it would help core voters  
5 that you were trying to reach to decide to reject Al  
6 Gore in the election occurring in November, correct?

7 A Correct.

8 Q And, therefore, just to conclude the  
9 point, the substantive message was key to persuading



LaPierre Dep

10 people to vote for Bush, as the last few words of  
11 exhibits 5 and 5A say, correct?

12 A Correct.

13 Q Okay. And that's why you chose that  
14 substance, correct?

15 A Correct. Those are powerful arguments  
16 with -- for our side based on what's going on.

17 Q Okay. Now, we could play the ads. Does  
18 anybody want to hear them just to hear Mr. Heston's  
19 voice? I don't think we need to play them.

20 MR. GILLIGAN: I don't know, Fritz.  
21 You've been giving us a pretty hard sell on Charlton  
22 Heston's voice.

□

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1 MR. SCHWARZ: Let's play the ads. And we  
2 marked these as -- what are you going to do first,  
3 the TV? Can we putatively mark or symbolically mark  
4 the radio ad as 5B and the TV ad as 5C?

5 MR. COOPER: Sure.

6 MR. SPIEGEL: We have copies.

7 MR. SCHWARZ: So why don't you mark this  
8 radio ad as 5B. And it says on it "From NRA-ACK  
9 03286 & 03291." And there's a copy for the Justice  
10 Department. And a copy for you. And I guess  
11 I'll -- this is LaPierre 5B, isn't it?

12 MR. GILLIGAN: This is the radio ad.

LaPierre Dep

13 MR. SCHWARZ: Yes. This is the radio ad.

14 (LaPierre Exhibit 5B identified.)

15 (LaPierre 5B was played.)

16 BY MR. SCHWARZ:

17 Q Were you able to recognize -- that's the  
18 end of it, right?

19 MR. SPIEGEL: That's it.

20 BY MR. SCHWARZ:

21 Q Were you able to recognize the voice  
22 introducing that ad, not on the ad, but that

□

259

1 identifies it? And if you don't, may be, David, you  
2 know.

3 MR. THOMPSON: (Indicating in the  
4 negative.)

5 BY MR. SCHWARZ:

6 Q Is it a voice you heard before?

7 MR. SPIEGEL: Do you want to play it  
8 again?

9 THE WITNESS: Yeah. Can you play it  
10 again?

11 (LaPierre 5B was played.)

12 THE WITNESS: I don't recognize the voice.

13 MR. THOMPSON: Nor do we.

14 BY MR. SCHWARZ:

15 Q Okay. Now, let's play the video, the  
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LaPierre Dep

16 script for which is LaPierre 5A. And we'll mark the  
17 video as 5C.

18 (LaPierre Exhibit 5C identified.)

19 (LaPierre 5C was played.)

20 BY MR. SCHWARZ:

21 Q Now, can you go back -- so you had a  
22 chance to hear it. And that's Mr. Heston. It's the

□

260

1 same as the script. It's identical, with those  
2 minor exceptions I mentioned, to the radio script,  
3 correct?

4 A Correct.

5 Q Go back to where there's something put on  
6 the screen. Yeah, right there. I want you to agree  
7 that's the August 22 letter from the Justice  
8 Department. Do you see that?

9 A That's correct.

10 Q Justice Department, August 22.

11 A I agree with that.

12 MR. SPIEGEL: Is that all right?

13 MR. COOPER: Hold up.

14 BY MR. SCHWARZ:

15 Q That's all we need.

16 And then it's paid for. It says paid for  
17 the by the NRA Political Victory Fund. You saw  
18 that, also?

LaPierre Dep

19 A I saw that also.

20 MR. SCHWARZ: All right. So you're going  
21 to give me a copy of that. And you guys have your  
22 copy?

□

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1 MR. GILLIGAN: If I may just remark, I  
2 haven't had a case with so many videotapes in it  
3 since Playboy Entertainment Group versus United  
4 States.

5 MR. SCHWARZ: Which is a pornography case?

6 MR. GILLIGAN: Yes. People have asked me  
7 to comment on the differences, and I have none.

8 MR. SCHWARZ: That's LaPierre -- what's  
9 the number again? 5C.

10 (Discussion off the record.)

11 BY MR. SCHWARZ:

12 Q A couple of mechanical questions using  
13 those ads --

14 A Okay.

15 Q -- as the center.

16 I guess you've already testified that  
17 Ackerman physically produced those scripts and  
18 physically produced the audio and the video,  
19 correct?

20 A These two?

21 Q Yes.

22 A Yes. That's correct.

□

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1 Q And -- and did Ackerman, along with NRA,  
2 decide on the visuals and the music and that sort of  
3 thing? Or did Ackerman alone make those decisions?  
4 In other words, you agreed on a text?

5 A Ackerman -- we agreed on a text. And we  
6 would have gone back and forth on the text. They  
7 probably picked the visuals and the music unless we  
8 had some huge objection to it. That's what ended up  
9 going.

10 Q And what would happen on the text is you  
11 would go back and forth, as you said, between  
12 yourself and Ackerman?

13 A That's correct.

14 Q And then they would -- there would be an  
15 agreed-upon text after all that work, correct?

16 A That's correct.

17 Q And then Ackerman would put together a  
18 proposed video, because they gave you a script that  
19 had proposals about what was going to be in the  
20 video, correct?

21 A That's correct.

22 Q And unless you had substantial objection

1 to their judgment on the pictures and the music, it  
2 would go ahead?

3 A That's correct.

4 Q Okay. And, you know, on doing -- and  
5 doing an important ad, you said there was  
6 substantial back and forth?

7 A Right.

8 Q Over what period of time? I mean, I'm not  
9 asking you to specifically remember here. But, in  
10 general, over what period of time?

11 A Anywhere from a week to a couple of weeks.

12 Q Okay. And the back and forth would be --  
13 would start -- who would start the dialogue going,  
14 you -- your side of the fence or Ackerman?

15 A It could be started either by me, by our  
16 staff, by Jim, by the folks in ILA, by -- or by  
17 Ackerman. I mean, they sometimes propose scripts.  
18 We sometimes propose issue scripts. And we just  
19 discuss things back and forth and come out with an  
20 end product.

21 Q Okay. And that might take a couple of  
22 weeks?

1           A     And Charlton Heston usually -- if it  
2 involves Charlton Heston, he usually has some edits  
3 that he wants to put in on his own also.

4           Q     You mean like emphasizing a certain word  
5 or that kind of thing?

6           A     well, he's the one that's saying it.

7           Q     Sure.

8           A     And he always wants to be comfortable with  
9 what he is saying, so he changes stuff around.

10          Q     When does Charlton Heston get in the  
11 dialogue? Not, I take it, the first day.

12          A     No. He usually sees it a day or two or  
13 three before he is set to record it.

14          Q     Okay. And --

15          A     It's a bad idea to give it to him before  
16 he walks into the studio because he --

17          Q     Then he'll change it when he walks in?

18          A     He'll say, why didn't somebody show this  
19 to me earlier?

20          Q     And when Charlton Heston is being either  
21 videoed for a TV ad or recorded for a radio ad --

22          A     Right.

□

1           Q     -- does he -- where does he do it

2 physically?

3 A He does it most of the time out in Los  
4 Angeles.

5 Q So the Ackerman people would fly out there  
6 with their equipment, and he would do that. And as  
7 far as you know, was that done in 2000, and was that  
8 done on these ads that we just seen?

9 A I believe he recorded these in Los  
10 Angeles. I think that's correct.

11 Q Does Ackerman have an office in Los  
12 Angeles?

13 A No, they don't.

14 Q So they use some studio that they rent?

15 A I believe that's correct.

16 Q Okay. Now, Ackerman charges a fee for its  
17 work on the script, correct?

18 A That's correct.

19 Q And they charge a fee plus expenses for  
20 their work on filming the video and recording the  
21 audio?

22 A That's correct.

□

1 Q And who within NRA paid for Ackerman's  
2 work on the script?

3 A I believe it would have been the -- Jim  
4 Baker and the Political Victory Fund.



LaPierre Dep

5 Q And who within NRA paid for the Ackerman  
6 work on the -- and expenses on the filming and the  
7 audio?

8 A Jim Baker an the Political Victory Fund.

9 Q Okay. So -- okay. Let's go back, now, to  
10 the Exhibit 5 material, if you can. And just put  
11 the scripts in front of you. If we have to, we can  
12 play the -- play them again, but I don't think we  
13 have to.

14 Now, you're familiar with those scripts,  
15 right?

16 A I am familiar with these scripts.

17 Q Did NRA run broadcast ads that used the  
18 exact same recording, the exact same words spoken by  
19 Mr. Heston, but did not conclude by saying vote for  
20 Bush?

21 A No, I don't believe we did. No.

22 MR. SCHWARZ: Okay. Could you show the

□

267

1 witness Exhibit 6, please.

2 (LaPierre Exhibit 6 identified.)

3 BY MR. SCHWARZ:

4 Q Have you had a chance to read Exhibit 6?  
5 And don't say yes until you've finished it.

6 A Yeah. I just read it, yes.

7 Q Okay. Now, with the exception of the

8 bold-faced words at the beginning and with the  
9 exception of what is said at the very end --

10 A Right.

11 Q -- the substantive text of Exhibit 6 is  
12 exactly the same as the substantive text of  
13 Exhibit 5, word for word, isn't it?

14 A It is; that's correct.

15 Q Okay. And it is an ad that was paid for  
16 by the National Rifle Association -- excuse me, the  
17 script says it was paid for by the National Rifle  
18 Association, correct?

19 A The script says that; that's correct.

20 Q Okay. Now, was this ad that's reflected  
21 on Exhibit 6 actually run, or is that the reason you  
22 testified you didn't think anything had been run by

□

268

1 NRA? In other words, do you think this was run by  
2 NRA or not?

3 A I honestly don't know. I don't remember  
4 it running. It -- I mean, based on what's here,  
5 with it not doing a for or against, everything I  
6 know about the law, it could have been run, and it  
7 could have been run with soft dollars. But I  
8 don't -- I just don't remember whether it ran one  
9 way or the other.

10 Q In fact --

LaPierre Dep

11 A I don't remember -- I don't remember  
12 buying this stuff on the NRA side. But -- I just  
13 don't recall it.

14 Q In fact, you testified several times that  
15 you didn't think NRA ran any spot ads that were paid  
16 for by the NRA and were critical of Al Gore?

17 A I thought -- well, we ran infomercials.

18 Q No, I said spot ads.

19 A No, I -- I don't remember us doing that on  
20 NRA side.

21 Q Okay. Now, let's play something I would  
22 like to mark as Exhibit 6A, which is a radio ad.

□

269

1 (LaPierre Exhibit 6A identified.)

2 MR. SCHWARZ: Would you listen to it and  
3 tell me if you are convinced it was run.

4 THE WITNESS: I will.

5 (LaPierre 6A was played.)

6 BY MR. SCHWARZ:

7 Q So you have no doubt that that was --  
8 after hearing the audio there, you have no doubt  
9 that that was, in fact, run, do you?

10 A I'm not sure. I mean, I'm not trying to  
11 be evasive. I just don't remember that ad at all.  
12 I remember this ad -- this ad.

13 Q This ad being the ones --

LaPierre Dep

14 A The first two by the PVF. I remember the  
15 points in this ad.

16 Q Well, because they're exactly the same  
17 point.

18 A Yeah. They're exactly the same. But I  
19 just have no memory -- and I'm not trying to be  
20 evasive -- of this running on the NRA side. I mean,  
21 this could have run on the NRA side. It clearly  
22 would have been permissible in terms of the campaign

□

270

1 finance laws. And I'm not saying it didn't run. I  
2 just -- I honestly just don't remember. I mean, I  
3 can check with Ackerman McQueen, and they would be  
4 able to tell me. I just don't remember.

5 Q Okay. Do you see the bold face addition  
6 at the top of the ad?

7 A I do.

8 Q Do you see the reference by Mr. Heston  
9 that the day of reckoning is at hand?

10 A I do.

11 Q Do you see in the upper right-hand corner  
12 this has "CREATIVE APPROVED RV(2)10/19/00(TO)"?

13 A Right.

14 Q Do you believe RV means revised number  
15 two?

16 A I think it probably does.

17 Q And the date of October 19th.  
18 When Mr. Heston referred to the day of  
19 reckoning being at hand, he was referring to the  
20 election which was about to take place in November,  
21 correct?  
22 A I think that's probably true. That's true

□

271

1 obviously.

2 Q And what do you take the words "Heston DOJ  
3 Radio:60 SOFT" at the top of the memo to mean?

4 A I take it to mean, under the federal  
5 election law, because this does not say vote for or  
6 against, which is the test, this is permissible if  
7 NRA decided to do this on the NRA side of the aisle.

8 Q Okay. Now, when this was recorded, did  
9 NRA paid for it? Let me go back to the question.  
10 Is this the same recording that -- is it the same  
11 recording that we heard when we were listening to  
12 the PVF ad which has the identical text?

13 A I don't know. Because I honestly -- I'm  
14 not trying to be -- I just don't remember this.

15 Q Okay.

16 A I -- I mean, I remember the infomercial  
17 stuff. I just don't remember this ad. I -- I don't  
18 remember it running. But it could have run. I  
19 mean, it -- it's structured -- it's clearly

20 structured to run because it's permissible. But I  
21 don't remember when it was recorded. And I don't  
22 remember your second question as to whether it was

□

272

1 the same recording as the other one. I mean, I  
2 would imagine it probably is.

3 Q And did NRA either pay for that recording  
4 or share the cost of that recording with the PVF?

5 A I don't remember. I really don't remember  
6 this, so I don't know. I mean, I can try to find  
7 out if this ran, if it did run, who paid for it. My  
8 gut is probably that -- I don't know. I mean, I  
9 don't want to speculate, because I don't know. But  
10 we can check it for you.

11 Q Would it surprise you if I were to tell  
12 you that NRA ran that ad at least 1,000 times?

13 A As I said, it's possible NRA could have  
14 run the ad. I mean, if NRA ran the ad, this is  
15 radio, I mean, that's -- it's possible. I just  
16 don't remember. I really don't.

17 Q Would it surprise you if I told you NRA  
18 ran that ad in Minnesota?

19 A If it ran, it wouldn't surprise me if it  
20 ran in Minnesota.

21 Q Because Minnesota was a battleground  
22 state, correct?

1 A Minnesota was a battleground state.

2 Q Okay. Would it surprise you if I told you  
3 NRA ran that ad in Kansas City, Missouri?

4 A No, it wouldn't.

5 Q For the same reason, because Missouri was  
6 a battleground state?

7 A That's correct.

8 Q Okay. And the same answer you give me  
9 with respect to running it in St. Louis, Missouri,  
10 correct?

11 A That's correct, also.

12 Q And would it surprise you if I told you  
13 that NRA ran the ad in Pennsylvania?

14 A No, it wouldn't surprise me.

15 Q Because Pennsylvania was also a  
16 battleground state, correct?

17 A Where this -- again, where this -- if NRA  
18 ran the radio -- and I don't remember NRA running  
19 the radio, but if NRA did run the radio, which is  
20 quite -- it's possible. This was designed to run on  
21 radio, and it says "SOFT." It -- it doesn't surprise  
22 me what you're saying.

1 Q Okay. And because -- if I didn't pin that  
2 down as to Pennsylvania, Pennsylvania was a  
3 battleground state, correct?

4 A That's correct. It was one of those hot  
5 states like we talked about just like where we have  
6 it up on the infomercial.

7 Q And if I told you that NRA ran this ad in  
8 West Virginia, would that surprise you?

9 A No.

10 Q For the same reason, because that was a  
11 battleground state?

12 A Same reason.

13 Q Okay. And if I told you that NRA ran this  
14 ad in Washington, would that surprise you?

15 A No.

16 Q For the same reason, because that was a  
17 battleground state?

18 A Correct.

19 Q Okay. If I told you it ran in Kentucky,  
20 would that surprise you?

21 A No, it wouldn't.

22 Q And the reason for that?



LaPierre Dep

1           A     It wouldn't surprise me running anywhere.  
2     I mean, this was consistent with our message all the  
3     way through where we were -- I mean, it was our  
4     message. We were being attacked. We're getting out  
5     the -- our point of view in terms of the cultural  
6     war. We're getting out the -- what we can run on  
7     the NRA side in terms of where soft dollars are  
8     permissible in terms of the political area.

9           I just don't remember running the radio.  
10    But it's all consistent with what's in the  
11    infomercials, I believe. And it's -- it doesn't  
12    surprise me. I just don't -- I just don't remember  
13    the radio.

14          Q     Indeed, Mr. LaPierre, the same exact words  
15    are used in the infomercials, aren't they?

16          A     I think -- I think they may very well be.  
17    I mean, those were the issues that the whole debate  
18    was about, the second amendment, the Supreme Court.  
19    There were other issues. But what the second  
20    amendment means, I was still debating that on  
21    Crossfire with Jim Carville the other night.

22          Q     So if you'll take my word that this was

□

1     run, and I could show you invoices and so forth --

2           A     Right.

3           Q     -- so will you accept my word it was run  
                  Page 249

LaPierre Dep

4 even though you don't remember it?

5 A If you have the invoices, I will accept  
6 your word they were run. I'll check the invoices  
7 and check with our agency just to double check.

8 But, as I said, I just don't remember it. But it  
9 doesn't surprise me given the way it's designed.  
10 It's designed to run. And it's designed to run  
11 legally within the parameters of the law.

12 Q No person in this room has been  
13 criticizing what you did.

14 A No. But that's what convinces me it was  
15 designed to run.

16 Q So you ran an ad which has the same exact  
17 substantive message in PAC ads, in NRA radio spot  
18 ads and in infomercials, correct?

19 A We did. And those were the issues that  
20 were being discussed within the broader culture  
21 program -- the cultural battle that I was talking  
22 about also. But, clearly, I mean we were -- the

□

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1 political impact was positive also for us. I'm not  
2 denying that.

3 Q Just to pinpoint what you mean by the  
4 political impact was positive --

5 A On the election.

6 Q -- you thought whether a PAC ad or NRA  
Page 250

LaPierre Dep

7 spot ad or infomercial that used words talking about  
8 the Justice Department and talking about the Supreme  
9 Court would have a positive impact on the election  
10 with respect to the voters you were particularly  
11 trying to reach, correct?

12 A Uh-huh. Correct.

13 Q And by positive impact on the election,  
14 you mean would help cause them to vote against Gore  
15 or vote for Bush, correct?

16 A Positive. Positive impact would mean a  
17 vote for -- against Al Gore. And it would help  
18 offset the messages from the other side that -- and  
19 the media and everything else that they were pumping  
20 in there in this debate designed to pressure the  
21 listener the other way.

22 Q Now, Arkansas was another battleground

□

278

1 state, correct?

2 A Correct.

3 Q And would it surprise you that the ad  
4 we've been talking about was run by the NRA in  
5 Arkansas also?

6 A No, it would not.

7 Q Now, at some point, you thought Ohio would  
8 be a battleground state, correct, but then you  
9 changed your mind ultimately on that; is that right?

LaPierre Dep

10 A I think we -- that's true.

11 Q You thought it would be a presidential  
12 battleground state?

13 A I think that's true.

14 Q Okay. Have you ever heard of a  
15 trickle-down theory in connection with voting  
16 that -- let me say what I mean by trickle-down  
17 theory.

18 Have you ever heard of a theory that, if  
19 you want to get a Democratic Senator or Republican  
20 Senator elected, it helps to have a larger vote  
21 turnout on behalf of the Democratic Presidential  
22 candidate if what you want is a Democratic Senator,

□

279

1 or the Republican Presidential candidate if what you  
2 want is a Republican Senator? That's what I mean by  
3 trickle down.

4 A I'm sorry.

5 Q Let me try again.

6 A Once more.

7 Q Okay. Have you ever heard the expression  
8 trickle down used in connection with elections?

9 A I vaguely remember that, but I'm not sure.

10 Q Okay.

11 A It rings some bell, but I don't know what  
12 bell it's ringing.

LaPierre Dep

13 Q Jim suggested another word. Have you ever  
14 heard of coattails used before?

15 A I've heard coattails, yes.

16 Q Let's use coattails. Is it correct that  
17 one of the reasons somebody might run an ad in favor  
18 of a presidential candidate --

19 A Uh-huh.

20 Q -- is because they would hope that would  
21 give coattails to help a Senatorial candidate of the  
22 same party?

□

280

1 A I think that's possible.

2 Q And indeed that's done?

3 A I think it is done.

4 Q And you've done it sometimes at the NRA?

5 A I don't think we've done it. I will  
6 concede the point that it's done, but that's not  
7 something that I ever remember entering into our  
8 strategy.

9 Q Let me ask you that question a slightly  
10 different way. You know that NRA ran some ads that  
11 favored, like, George Allen as an example, who was  
12 running for Senate.

13 A Right.

14 Q So they ran ads favoring Ashcroft and  
15 Abraham and a number of other Senators, correct?

LaPierre Dep

16 A That's right. The PVF did.

17 Q And the PVF also ran ads that favored  
18 various representatives; is that correct?

19 A That's correct.

20 Q Did the NRA-PVF ads that were run, in  
21 order to conclude by saying vote for George Allen or  
22 vote for Ashcroft or vote for Abraham, in the body

□

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1 of the ad, did they continue with the same theme  
2 about watch out for the Al Gore Justice Department  
3 or the Al Gore Supreme Court?

4 A I think some of them that they ran did  
5 that in terms of the -- the PVF ads in terms of  
6 talking about the Clinton coalition, which is what  
7 it was. I mean, it was -- I mean, the way they were  
8 operating is, if you got in, you were pretty well  
9 solidified in the Clinton coalition. And they were  
10 giving you nowhere to go. So I can see the PVF  
11 doing that.

12 Q Let me just look at something if I can.

13 Yeah. I'm looking at a script that I've  
14 marked up, so I'm not going to mark it here.

15 A Right.

16 Q But it happens to conclude by saying "Vote  
17 freedom first. George Allen for Senate." And in the  
18 ad, the same exact subject we've been looking at in

19 Exhibits 5 and 6 is covered, and I'll read quotes.

20 "The Clinton-Gore Justice Department says  
21 you have no right to own any firearm." And then  
22 they show a picture of the same picture we saw on

□

282

1 the screen. "There's no personal constitutional  
2 right under the second amendment to own or use a  
3 gun." So --

4 MR. COOPER: For purposes of identifying  
5 that particular document, can you give us the Bates  
6 number on that so we can ourselves dig it out.

7 MR. SCHWARZ: This is one that you  
8 didn't -- you may have produced to us. You did  
9 produce a CD-ROM, but we didn't bring it here. If  
10 it helps you, it's in the CMAG storyboards that you  
11 guys have done, Chuck.

12 MR. COOPER: Okay.

13 MR. SCHWARZ: It is -- I'll give you the  
14 title of the ad.

15 MS. MITCHELL: Do you have the date?

16 MR. SCHWARZ: It's called NRA, Other  
17 Countries, Allen.

18 MS. MITCHELL: Yeah. I was asking if you  
19 have the dates. That would be helpful.

20 THE WITNESS: Is it an Ackerman ad or  
21 Edmonds ad? Or does it say?

22 MR. SCHWARZ: The one I have doesn't say.

□

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1 THE WITNESS: Okay.

2 MS. MITCHELL: It's PVF ad.

3 MR. SCHWARZ: Yes, it's a PVF ad.

4 Other Countries, Allen. It looks to me as  
5 if it started running on October 23 and ran  
6 extensively through November 6.

7 Now, you will see, if you go look at any  
8 printout, that the words Other Countries, Allen  
9 cover ads that are run in states other than  
10 Virginia. What the CMAG date of those is, when you  
11 have the identical cookie cutter ad it just  
12 finishes, it's the same text and same message, it  
13 just finishes by saying vote for Allen or vote for  
14 Ashcroft or vote for Graham. It's what was recorded  
15 as first person.

16 MS. MITCHELL: And this is radio or TV?

17 MR. SCHWARZ: It's a TV. I probably gave  
18 you more information than you need.

19 BY MR. SCHWARZ:

20 Q But I think the witness has agreed with me  
21 that he remembers that your Senate ads and your  
22 House ads at least often did include the same



1 reference to the Gore Justice Department that we saw  
2 on the exhibits 5 and 6, correct?

3 A I think I remember that this relates to  
4 some of those candidates because they were like that  
5 together (indicating), and they were -- yeah. I  
6 mean, there wasn't any doubt if Chuck Robb got  
7 reelected, the fact that he was there and go to --  
8 what he was going to do against us and -- if issues  
9 like this came up in Congress.

10 Q Now, the candidate against whom  
11 Mr. Ashcroft was running, you had no idea -- the  
12 candidate for whom Mr. Ashcroft was running was  
13 dead, right?

14 A That's correct.

15 Q And you had -- did you have any idea when  
16 that race was over --

17 A All that stuff, as far as -- from what I  
18 remember on that, when the candidate died, NRA  
19 pulled down, I believe, their advertising.

20 Q For a while. But you kept it going after?

21 A I was going to say, I can't remember  
22 whether they put it back up or not. When I say NRA,

1 I mean the PVF.

2 Q Yeah.

3 A I remember there was a debate as to  
4 whether to put it back up or not, and they may have.

5 Q And you had no idea if the dead man ran --  
6 won, did you know who would get appointed to fill  
7 the term of the dead man?

8 A As I remember, it was -- there was a lot  
9 of speculation that it would be his widow.

10 Q The one who was, in fact, turned out to be  
11 appointed?

12 A Right. Right.

13 Q And you didn't have any idea what her  
14 positions were on guns, did you?

15 A I think it was -- again, I'm speculating  
16 because I wasn't involved in that personally, but  
17 I -- you'd have to ask Baker. I just don't know.

18 Q Okay.

19 A I mean, I didn't do any of that. I didn't  
20 even sit on any of the meetings on that, so I just  
21 don't know.

22 Q Okay. So we're moving along pretty well

□

1 here.

2 LaPierre Dep  
(Discussion off the record.)

3 BY MR. SCHWARZ:

4 Q On your infomercials, other than the  
5 mentions of Gore --

6 A Right.

7 Q -- of which there were at least 50 --

8 A Right.

9 Q -- was any other candidate running for  
10 federal office in 2000 mentioned on any of your  
11 infomercials?

12 A I don't think so. Other than running for  
13 office, I -- I don't think so.

14 Q Would you say that the money that NRA  
15 spends on broadcast ads that mention a candidate in  
16 the 60 days prior to an election is of both present  
17 and vital importance to NRA?

18 A Yes. I think the money the -- the NRA --  
19 yes, I would.

20 Q And is it of present importance to NRA --  
21 remember, I'm talking just about the 60-day period  
22 before the election --

□

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1 A Right.

2 Q -- and one ad that mentions a candidate,  
3 is it of present importance to NRA because the  
4 election is coming soon or, as Charlton Heston said,

LaPierre Dep  
5 the day of reckoning is at hand, correct?

6 A That -- that tends to be the framework  
7 where political issues are hot, political discussion  
8 is hot. The -- the debate for the culture is the  
9 hottest. And the legislation in Congress is moving  
10 like crazy. And you -- and it's the political  
11 season, also. And the NRA's political speech in  
12 terms of whether it's political through the PVF or  
13 whether it's through the NRA is absolutely vital to  
14 the cause during that time period.

15 Q Now, you're experienced with respect to  
16 the workings of Washington, are you not?

17 A I am.

18 Q And have you been for many years, right?

19 A That's correct.

20 Q Now, during a federal election, you said  
21 legislation is moving like crazy.

22 A Uh-huh.

□

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1 Q Isn't it your experience through all your  
2 years as a politician that, in the 60 days prior to  
3 the federal election, Congress is in recess because  
4 people are concerned about -- concerned about  
5 getting reelected?

6 A No. They tend to stay -- my experience  
7 has been that they stay -- they come back after the

LaPierre Dep

8 August recess. And they stay through early October,  
9 mid October. It's always one of the big debates as  
10 to people back home are running against them, and  
11 they need to get back home. And they're always  
12 screaming bloody murder, when are we going to get  
13 out of here. And they're trying to finish their  
14 legislation. And they're passing stuff like crazy  
15 one way or the other before they get out of town.  
16 And that's all within the 60-day window.

17 Q It's a fact, isn't it, that NRA's ads  
18 mentioning candidates concentrate on the -- not the  
19 60 days, but the 30 days prior to the election?  
20 Isn't that correct?

21 A Do you mean NRA runs more political ads  
22 within a 30-day window than it does within a 60-day

□

289

1 window?

2 Q Yeah.

3 A I think with political ads, that's  
4 probably true.

5 Q And by political ads, you mean the kinds  
6 of ads we've been talking about, correct?

7 A PVF and also in terms of the soft ads  
8 we've been talking about, that would be true.

9 Q Also with respect to the infomercial, the  
10 one that happens to mention Gore more than 50

11 times --

12 A Right.

13 Q -- that also was run primarily in the last  
14 30 days, not in the last 60 days, correct?

15 A That -- that's correct. But keep in mind  
16 that, at that time, this whole debate is to where  
17 the union stood -- union stood. And union members  
18 was a big, big issue in general. And one of the  
19 things we wanted to do was to -- to, in this  
20 cultural war, was make it clear the union folks also  
21 supported the second amendment. I mean, that was a  
22 product in that, too.

□

290

1 Q You could have done that, couldn't you,  
2 without saying -- without having those union people  
3 repeatedly say I'm going to vote for Bush or I'm  
4 going to vote against Gore? You could have had them  
5 say there's a cultural war in America, and I'm on  
6 the side of people who want to use their guns,  
7 correct?

8 A It's pretty tough given what the unions  
9 were doing. I mean, the unions were just saturating  
10 in those states with anti-NRA material, anti-NRA  
11 flyers, anti-NRA you name it, and then using Gore in  
12 the process also. And I mean in this battle, that  
13 locks. I mean, that was a big part of it also.

14 Q There were a couple of anti-gun, if I can  
15 use that term --

16 A Sure.

17 Q -- organizations that were also running  
18 ads, correct?

19 A I believe there were.

20 Q And Handgun Control was one.

21 A They would have been one.

22 Q And what were the other ones?

□

291

1 A You know, I really don't remember. It  
2 might have been Mr. McKelvey's organization,  
3 Americans for Gun Safety. It might have been the --  
4 there were a couple, the Center for Prevention of  
5 Violence, the Brady center, the National Coalition  
6 to Ban Handguns. There's a whole number of those  
7 types of organizations. I just don't know which  
8 ones ran the ads.

9 Q Was there an organization called Campaign  
10 for a Progressive Future?

11 A There is an organization called Campaign  
12 for a Progressive Future. I couldn't tell you what  
13 they ran.

14 Q Okay. And is that an organization that  
15 appeared on the scene for the first time in the year  
16 2000?

LaPierre Dep

17 A I don't know.

18 Q Did -- what is the Campaign for a  
19 Progressive Future as far as you knew in 2000 or  
20 know now?

21 A I never heard of them at all in 2000. I  
22 was trying now to recollect any memory as you said

□

292

1 it. At first, I thought it was a liberal interest  
2 group that was out there. It may very well be some  
3 Bush group. I recollect that now. I never heard of  
4 them at all in 2000.

5 Q Isn't it -- what do you think about an  
6 organization called the Campaign for a Progressive  
7 Future which -- just hearing the name, you can't  
8 tell if they're a liberal group or a Bush group.  
9 That's what you testified to, right?

10 A That's what I -- I don't know. Obviously  
11 I don't know enough about them.

12 Q Do you think -- do you think it's  
13 appropriate for a group to pick a name like that,  
14 Campaign for a Progressive Future, which even you,  
15 Mr. LaPierre, say I don't know if it's a liberal  
16 group or a Bush group?

17 A Right.

18 Q Do you think it's appropriate for a group  
19 to run ads which say paid for by the Campaign for a



20 Progressive Future?

21 A I think that -- and I've been clear about  
22 this, too. I think that whoever runs ads, there

□

293

1 ought to be a very clear disclaimer on there to the  
2 point where everybody knows exactly who they are.  
3 And there should be no doubt who's running the ad.

4 Q Okay. So --

5 A And we try to do that.

6 Q Now, NRA has never run an ad --

7 A Right.

8 Q -- other than with the name NRA on it?

9 A So I think I'm agreeing with you. I think  
10 it ought to be absolutely very clear who's paying  
11 for the ad and who's running it.

12 Q And NRA has never run an ad which uses  
13 anything other than one variant or another of the  
14 name National Rifle Association, correct?

15 A We're not -- not that I know of. I mean,  
16 we -- we -- when we run our ads, when we run NRA  
17 ads, we're proud of them.

18 Q Right. And just to -- you're not aware of  
19 any instance -- and I'll tell you candidly nor am  
20 I --

21 A Right.

22 Q -- so don't think I'm trying to undermine

□

294

1 you here --

2 A Right.

3 Q -- where NRA ran an ad and used a name  
4 other than NRA?

5 A No. I don't believe we've done that. And  
6 I also agreed whoever runs the ad ought to very  
7 specifically disclose so there's no doubt about who  
8 does it.

9 Q Now, would it surprise you to learn that  
10 ILA, speaking about the Campaign for a Progressive  
11 Future, expressed concern just prior to the November  
12 elections about the fact that Campaign for a  
13 Progressive Future with that vague name was funded  
14 by anonymous donors?

15 A I'm not aware of that one way or the  
16 other.

17 Q But would it surprise you if I told you  
18 that ILA wrote something in which they expressed  
19 concern that the Campaign for a Progressive Future  
20 was funded by anonymous donors? Would you be  
21 surprised?

22 A No. Because NRA's position and my

1 position and, I think, Jim Baker's position -- and  
2 we've always been very public about it -- is that,  
3 whoever is running ads, it ought to be disclosed who  
4 is running those ads.

5 Q And who paid for the ads, correct?

6 A And who pays for the ads.

7 Q Okay. Now, I would like to show you --  
8 well, before I show you something. At some point,  
9 NRA learned who the anonymous donors to the Campaign  
10 for a Progressive Future were. Does that ring a  
11 bell at all with you?

12 A It does -- it rings a bell now.

13 Q Okay.

14 A I think I know -- you're talking about did  
15 NRA end up doing a donation to them after the  
16 2000 election.

17 Q That would surprise me since they were  
18 running anti-gun ads.

19 A No, I'm not -- really?

20 Q Yes.

21 A I don't know who they are.

22 Q Does it ring a bell with you if now I tell

LaPierre Dep

1 you that a Campaign for a Progressive Future was  
2 running anti-gun ads, anti-gun ads and despite their  
3 name?

4 A I still don't know who they are.

5 MR. SCHWARZ: Okay. Let me show you  
6 something and see if it will refresh anything with  
7 you.

8 Now this should be marked as LaPierre 7.

9 (LaPierre Exhibit 7 identified.)

10 BY MR. SCHWARZ:

11 Q Let me identify NRA 7. It's the cover  
12 page of the American Rifleman for January 2001. And  
13 then it's page 81, which is a column headed "INSIDE  
14 NRA," which I believe is something -- well let me  
15 ask you the question.

16 Who writes the INSIDE NRA column in the  
17 American Rifleman?

18 A I don't know. I mean, probably there's  
19 someone in our publications division or someone in  
20 ILA would have written it.

21 Q Okay.

22 A This looks like it was written by someone

□

297

1 in ILA.

2 Q And I believe, from my recollection of the  
3 whole issue, that it was written by someone in ILA.

LaPierre Dep

4           Now, let me just read to you some passages  
5 here and see if they refresh your recollection at  
6 all.

7           I'll start on the first column of page 81  
8 or NRA 7900, okay.

9           A     Uh-huh.

10          Q     It talks about Handgun Control. But you  
11 knew about Handgun Control before the --

12          A     Right.

13          Q     -- before the election of 2000. It was a  
14 preexisting group, right?

15          A     That's correct.

16          Q     Let me read you a little bit.

17                 "While gun owners expected increased  
18 activities from longtime foes, there were also  
19 attacks on the Second Amendment from some new  
20 groups. The two most prominent of these were The  
21 Campaign for a Progressive Future (CPF) and  
22 Americans for Gun Safety (AGS). Both groups are

□

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1 extremely well funded and will be a force to watch  
2 in the future."

3           Does that refresh your recollection at all  
4 about the Campaign for a Progressive Future?

5           A     It really doesn't -- I mean, I -- I mean,  
6 I accept what's here in the article. I just did not

7 focus on them.

8 Q Right. But you accept -- not only is it  
9 printed in the article, but you accept that the  
10 standards of NRA are that ILA, when they write the  
11 INSIDE NRA column, attempts to be accurate and, as  
12 far as you know, is accurate, correct?

13 A That's correct. So I'm not doubting you  
14 here. I just don't have any recollection of it one  
15 way or other.

16 Q Okay. Then continuing along, I'm going to  
17 see if this refreshes your recollection about NRA  
18 having been concerned initially that the funding for  
19 Campaign for a Progressive Future was anonymous and  
20 then finding out the main source of the funding.

21 A You know where I just recollected it?

22 Q Yeah.

□

1 A In looking at the list of people, I  
2 believe in groups that were involved in the  
3 coalition to pass campaign finance reform  
4 legislation, there was a major list, I believe, of  
5 the Brennan Center, the -- not to take a shot.

6 Q That's okay. I take it with pride.

7 A The Campaign for Progressive Future and  
8 all of those groups. And they were in a part of  
9 that coalition as a major contributor to the

LaPierre Dep

10 campaign finance law and contributing to educate  
11 news organizations around the country in terms of  
12 how to cover the campaign finance law.

13           And, also, I believe the contributors for  
14 Arizonans for Clean Elections where they were, I  
15 believe, one of the major contributors to that also.  
16 And now I know who they are.

17           Q    And they also, according to your ILA, were  
18 among two of the most prominent foes of the second  
19 amendment, correct?

20           A    If ILA says that, I'm sure it's true. I  
21 just don't have any recollection of that.

22           Q    Okay.

□

300

1           A    But if -- these guys work this stuff every  
2 day, day in and day out. And I'm sure, if they're  
3 saying it, it's true; and they can back it up.

4           Q    Okay. So then, reading along in the  
5 second column, "CPF is a secretive new activist  
6 group whose funding comes from a small number of  
7 wealthy social activists who have a history of  
8 supporting causes that are out of step with  
9 mainstream America. For instance, George Soros --  
10 the campaign's largest contributor -- has called for  
11 the legalization of drugs. He is affiliated with an  
12 organization that claims 'cocaine is as good a

LaPierre Dep

13 stimulant as coffee with less harmful effects on the  
14 body' and that 'it fills a spiritual vacuum in the  
15 deep void left by a shallow, materialistic  
16 society.'"

17 And continuing along, "The Hungarian-born  
18 billionaire also holds the peculiar view that our  
19 free economy is a more potent threat than Communism  
20 and Nazism."

21 Now, does that refresh any of your  
22 recollection about the CPF or NRA's efforts to find

□

301

1 out who the anonymous donor or donors were?

2 A I'm sure there are plenty of people in ILA  
3 that have plenty of recollection of it. It just  
4 doesn't -- I don't have any recollection of it.

5 Q Okay.

6 A I know that one of our big gripes is the  
7 fact, if you look at the other side on this issue,  
8 there's all kinds of foundation money flowing into  
9 this debate. And most of it flowing into the gun  
10 debate is by foundations. It's by -- and putting  
11 money in -- in some corporations. I mean, we've  
12 always in recent years, in particular, looked over  
13 our shoulder and did a kind of, you know, what's  
14 going on here in terms of the money flowing into the  
15 other side of this debate.



LaPierre Dep

16 Q So what I read to you didn't refresh your  
17 recollection at all about what NRA --

18 A Right.

19 Q -- found out about --

20 A Right.

21 Q -- CPF and Mr. Soros?

22 But let me ask you -- that's correct,

□

302

1 isn't it, it didn't refresh your recollection?

2 A Yeah, it really didn't. The reason I  
3 remember the campaign finance stuff is I've been  
4 doing a lot of speeches on campaign finance, and  
5 we've been looking recently as to where the money  
6 has been coming from that funded the passage of the  
7 law in the first place. That's the only reason I  
8 remembered it.

9 Q And you see in the passage that follows  
10 what I quoted there that the ILA person who wrote  
11 this says "CPF invested heavily in attempting to  
12 defeat pro-gun candidates in U.S. House and Senate."

13 A Right.

14 Q "In those races they spent large sums on  
15 radio and television spots."

16 A And I assume that's true if our people  
17 wrote it.

18 Q Now we've explored whether this refreshes  
Page 273

19 your recollection. But now I want to talk about  
20 philosophy instead of your recollection.

21 A Right.

22 Q would you agree with me that the ability

□

303

1 to criticize Mr. Soros' views is a legitimate part  
2 of the public debate -- of the public debate,  
3 period?

4 A Yes.

5 Q And is the ability to criticize Mr. Soros'  
6 views a legitimate part of the public debate as to  
7 whether people out to follow the efforts of the  
8 Campaign for a Progressive Future to attempt to  
9 defeat pro-gun candidates?

10 A He's a public figure. And as a public  
11 figure, I would say that I think it's legitimate to  
12 criticize his views.

13 Q And it's legitimate for NRA to try and  
14 find out who the anonymous donors of the Campaign  
15 for a Progressive Future were so that it would be  
16 able to enrich the public debate about the ads that  
17 are being run, correct?

18 A well, I don't know -- I don't think  
19 Mr. Soros is that anonymous. I think he's fairly  
20 public.

21 Q Yeah. But he -- but he was the -- the

22 fact that he was giving money to the Campaign for a

□

304

1 Progressive Future was not known by NRA. I can tell  
2 you this. It was not known by NRA in October of  
3 2000, but was known by NRA by January 2001. Okay.

4 A Okay.

5 Q So do you have any problem at all as a  
6 matter of philosophy and as a matter of your first  
7 amendment rights --

8 A Uh-huh.

9 Q -- the first amendment rights of the  
10 NRA --

11 A Uh-huh.

12 Q -- do you have any problem with  
13 attempting, not using anything other than legal  
14 means --

15 A Uh-huh.

16 Q -- but attempting by legal means to find  
17 out who an anonymous donor was to this new  
18 organization that was heavily running anti-gun ads?

19 A I think -- I think the -- everybody -- the  
20 disclosure everybody clearly ought to know what  
21 group is paying for it, what group -- and there  
22 ought to be no doubt about who they are. I mean,

1 it's the -- it's when you get into names like  
2 Campaign for a Progressive Future that nobody knows  
3 who they are. I think the public ends up being  
4 deceived.

5 I think, if it's a group like the NRA, and  
6 we clearly disclose who we are, given the hate that  
7 is put out there against the NRA by the President of  
8 the United States, by the Vice President of the  
9 United States, by the head of the Justice  
10 Department, not to get personal, by ABC, NBC, CBS  
11 and CNN, there ought to be some way that people  
12 ought to be able to contribute to the NRA and that  
13 to be -- to not disclose individual contributors.

14 Because people -- people want to be able  
15 to express their political opinion, and they may  
16 feel ramifications. They may feel like their  
17 neighbors, based on the fact that they've been  
18 encouraged, they -- it gets very chilling when you  
19 start going down this path.

20 And I -- there are people that I think in  
21 a lot of cases, when you start going down it, it's a  
22 disincentive for people to contribute to the causes

1 and the candidates and to the -- to the causes that  
2 they want to support. I think with candidates, I  
3 think that's probably different.

4           But I think you're -- given what I've seen  
5 recently in this country, I -- I think disclosure  
6 for groups, yes. Disclosure on ads, yes. I have  
7 concerns about disclosure of individual contributors  
8 to groups based on -- based on ramifications that --  
9 and hate campaigns and things like that.

10          Q    Did anybody ever say to you, Wayne  
11 LaPierre, personally, I don't want to give money to  
12 the PVF because I have the concern --

13          A    Yes.

14          Q    How many people have said that to you?

15          A    A lot over the years have said, I donate  
16 to you, but, gee, I just don't want my neighbors to  
17 know. I don't want my school board to know. I  
18 don't want my employer to know. Because with what's  
19 going on on this issue right now. Look, I believe  
20 you, but I might lose my job. I might not get my  
21 school board thing. I might have -- I mean, they  
22 fear -- I mean, when you have as much hate as people

□

1 have put out on this issue, it's natural for people

LaPierre Dep

2 to fear repercussions. And that's what happens.

3 Q How many individuals in the year 2000, if  
4 any, said that to you?

5 A A lot.

6 Q A lot isn't an answer.

7 A Well, 50. I mean, but that's -- 50 is  
8 five, 10, 50 -- I mean, the multiplying factors. I  
9 mean, when you've got a President of the United  
10 States saying on national TV there is no crime in  
11 Europe because there is no NRA in Europe, of course,  
12 the fact -- I mean, that's pure hate that they're  
13 putting out there. And it's going to be aimed at  
14 the people that contribute and support that group.

15 Q So Mr. LaPierre, is it your testimony that  
16 somewhere between five and 50 people said something  
17 like that to you in the year 2000?

18 A That is my testimony. But I think that  
19 represents a lot broader segment of people that --  
20 and I get it across the board from parents involved  
21 with school systems. I get it across the board from  
22 people concerned about jobs in terms of their

□

308

1 employer.

2 I get it from people within the Department  
3 of Justice when Bill Clinton was President, within  
4 the administration when Bill Clinton was President.

LaPierre Dep

5 I mean, I get it from Secret Service agents. I get  
6 it from cops. I get it from people all over the  
7 country based on the hatred that was spewed in this  
8 cultural war in the national media toward the NRA  
9 over the last 7 or 8 years.

10 Q Okay. So somewhere between five and 50  
11 people made comments to you on the lines of which  
12 you talked about in the year 2000?

13 A But it goes from Hollywood to Secret  
14 Service agents to cops to private industry to  
15 teachers to -- I mean, it is -- I am convinced 50  
16 may have been the number that told me, but I am  
17 convinced it is widespread given what I've heard and  
18 seen.

19 Q And let's take the ones who told you.

20 A Right.

21 Q How many of them gave NRA more than \$1,000  
22 in the year 2000?

□

309

1 A Not -- not a lot. Because we don't -- we  
2 don't get a lot of contributions more than \$1,000.

3 Q Okay. So let's just focus on that for a  
4 minute.

5 A Right.

6 Q You raise a lot of money --

7 A Right.

8 Q -- and you're spectacularly successful at  
9 raising money.

10 A Right.

11 Q And since you came into office, you've  
12 been even more successful in raising money.

13 A Right.

14 Q Give me the best answer you can as to, in  
15 a given year --

16 A Right.

17 Q -- you said not a lot --

18 A Right.

19 Q -- but how many people do give you more  
20 than \$1,000 in a given year?

21 A I don't know offhand. I would say  
22 somewhere between 1,000 and 3,000.

□

310

1 Q Okay. And of the people who --

2 A And that could be high. It could be low.  
3 I'm just not sure.

4 Q who would know the answer to that best?  
5 Would Mary Rose Adkins know the answer to that?

6 A Mary Rose would probably -- yeah, because,  
7 on the NRA side, we hardly get any. If you're  
8 talking about -- Mary Rose would be able to give you  
9 that answer.

10 Q So are you saying, when you are saying on



LaPierre Dep

11 the NRA side we hardly get any, by that you mean on  
12 the NRA side you hardly get any contributions for  
13 \$1,000?

14 A No. We get contributions, but we do not  
15 get a lot over \$1,000.

16 Q No. I know you get lots and lots of  
17 contributions.

18 A Right.

19 Q But NRA itself doesn't get a lot of  
20 contributions over \$1,000?

21 A I don't think there are many. I mean, in  
22 the whole organization, if you add up all, you're

□

311

1 probably talking 1,000 to 3,000.

2 Q People?

3 A People. And I'll check it. And Mary  
4 Rose, if you're deposing Mary Rose, I think she  
5 would probably be able to give you an answer because  
6 she follows that.

7 Q But in terms of you as the head of the  
8 organization and your best sense as you sit here  
9 today --

10 A Right.

11 Q -- now not in terms of number of people,  
12 but in terms of number of dollars raised by NRA --

13 A Right.

14 Q -- what would you think the aggregate  
15 amount of dollars raised by NRA is from gifts that  
16 are over \$1,000?

17 A On NRA's side or the whole organization?

18 Q No, the NRA side.

19 A You know, I just don't know. Not a lot.  
20 I mean, a couple -- I would -- a couple hundred  
21 thousand.

22 Q Okay. Out of --

□

312

1 A Probably.

2 Q -- your total amount NRA would you say?

3 A I'm talking about 11 million that we  
4 raised in terms of the NRA side.

5 Q I thought we heard a term of 127 million.  
6 Did I mishear that?

7 A 195 to 200 million if you add up the whole  
8 organization.

9 Q Okay.

10 A I'm sorry. I don't know where the -- I  
11 don't remember saying 127. I think what I said is  
12 about 11 million on the NRA side. Five to -- seven  
13 to 10 or five to 10 in the PAC and 23 to 27 on -- in  
14 ILA.

15 Q Okay. Now, on the PACs, do the PACs  
16 succeed in getting more gifts that are over \$1,000?

17 A I don't think so. No, I don't. You would  
18 have to ask Mary Rose.

19 Q Okay.

20 A But I think they get a small amount over  
21 1,000.

22 Q And does ILA succeed in getting more gifts

□

313

1 over \$1,000?

2 A Not -- not a lot. It -- I just don't know  
3 how much they raise over 1,000. It's -- none of it  
4 is a lot if you -- if you look at all the dollars  
5 the organization is raising --

6 Q Okay.

7 A -- it's all a small percentage.

8 Q Okay. So for each of the PAC, ILA, and  
9 the NRA --

10 A Right.

11 Q -- the gifts, the aggregate amount of  
12 money raised in gifts that are more than \$1,000 is  
13 very small in comparison to the whole; is that  
14 correct?

15 A That's correct.

16 Q Okay.

17 A That's correct.

18 Q Now, I want to go back a little bit to  
19 Exhibit 7 and talk with you about philosophy because

LaPierre Dep

20 you don't remember the specifics here.

21 A Is that the "NOT MUCH BANG FOR ANTI-GUN  
22 BUCKS"?

□

314

1 Q Yeah. Yeah.

2 A I'm with you.

3 Q And it talks about Mr. Soros --

4 A Right.

5 Q -- who was revealed as being the largest  
6 contributor to the Campaign for a Progressive Future  
7 and so forth. And there's some critical remarks  
8 made about Mr. Soros.

9 But do you think that, under your first  
10 amendment rights or as a matter of philosophy, that  
11 it is a fair and useful thing to make harsh and  
12 critical comments about someone who happens to be a  
13 major financial supporter for an organization  
14 running ads that relate to guns?

15 A I think it -- I personally think it all  
16 depends on whether they're a public figure or not.  
17 I mean --

18 Q Okay.

19 A -- if they take a very public role, I  
20 think they're fair game.

21 Q Uh-huh.

22 A If they're private, I think it depends on

□

315

1 the -- I don't know. You know, it's a fine line in  
2 there trying to figure out what it ought to be. I  
3 just -- I just know what I hear in terms of our  
4 organization. I know what people are saying. And  
5 I -- I -- it worries me.

6 Q Now, do you see at the bottom of that  
7 second column, there's a reference the writer says  
8 that the ads that were run large sums spent by  
9 Campaign for a Progressive Future for ads on  
10 television and radio and phone banks and mailings  
11 and that those ads attempted to scare rather than  
12 inform voters. Do you see that?

13 A Where are you?

14 Q It's two-thirds of the way down the second  
15 column of the article.

16 A Yeah, I see that.

17 Q And then you see the writer gives what he  
18 or she called the best example of a -- it happened  
19 to be a phone call.

20 A Right. I see it.

21 Q You see it?

22 A Uh-huh.

1 Q Now, you're aware, aren't you, that there  
2 are many groups other than the NRA that run lots of  
3 broadcast ads which are similar to this one here?  
4 They may or may not use the same names. They may or  
5 may not use the same substance. But what they are  
6 are negative ads which try and scare people and then  
7 finish up by saying please call the bad candidate  
8 and tell them to stop doing the bad things. Are you  
9 aware that lots of ads are run like that?

10 A You said by groups not similar to the NRA?

11 Q By other than the NRA. I've never seen  
12 any such ad run by the NRA.

13 A I am familiar with those ads.

14 Q And do you share the view of the writer  
15 here that such a -- such an ad which just sets out  
16 negative information and then just says call the bad  
17 person is something which does not enrich the public  
18 dialogue, if I can use that expression?

19 A I think there ought to be disclosure. But  
20 I think that, when you start talking about enriching  
21 the public dialogue, the Founding Fathers would turn  
22 over in their graves.

LaPierre Dep

1 Q I share your view.

2 A Because for someone enriching the public  
3 dialogue is -- I mean, it all depends on what  
4 viewpoint you have in this stuff. And to try to  
5 police speech, I don't see how you do it. And I  
6 just don't.

7 Q Okay. So you wouldn't run an ad of this  
8 nature for the NRA, would you? I mean, I'm not  
9 saying you, of course, would not run an ad which is  
10 taking the same positions, but you wouldn't run this  
11 kind of ad for the NRA, would you?

12 A You know, that ad compared to what I've  
13 seen out there is mild. I mean it -- it -- it -- I  
14 mean I -- the rec center confuses people because  
15 nobody understands what you're talking about. So  
16 it's confusing. But, I mean, it's -- it's mild and  
17 it's fairly factual in terms of -- although it  
18 misleads based on -- you're relying on them not  
19 knowing what the ban on concealed weapons at rec  
20 centers is all about, and then protect our kids, not  
21 protect the gun lobby is I think what it is. But  
22 you know it's -- I don't know. To try to draw a

□

318

1 line on speech I think is -- I mean, I think  
2 everyone deserves a right to speak.

3 Q Let me switch gears to -- back to your

LaPierre Dep

4 speech; that is, the NRA speech. Let me read you  
5 something about voter education advertising. I'm  
6 going to read this to you and ask you whether, after  
7 you hear it, you think this is something that was  
8 said by the NRA or by the NRA-PVF?

9 A Okay.

10 Q Okay. "Gun owners know we can't depend on  
11 the biased media to fairly cover Second Amendment  
12 issues during the campaign." Then a name is put in,  
13 and I'm not going to use it, because I'm going to  
14 ask you to fill in the name. Blank "must act as the  
15 voice of gun owners to expose the anti-gun,  
16 anti-freedom records and policy positions of  
17 candidates seeking office. We will use print ads,  
18 direct mail, and broadcast advertising to let gun  
19 owners and freedom-loving Americans know where the  
20 candidates truly stand on Second Amendment issues,  
21 so together we can cast informed votes that protect  
22 our freedoms."

□

319

1 were you able to hear what I said  
2 sufficiently?

3 A Yeah. Read me the part where you  
4 insert -- you're inserting a candidates name in  
5 there.

6 Q Let me read it again to you.



LaPierre Dep

7 A Okay.

8 Q I'll go slowly. Remember the question I'm  
9 going to ask you at the end is: Is this something  
10 you think was said by the NRA itself or the NRA-PVF  
11 or by both?

12 A Okay.

13 Q So you have a multiple choice question you  
14 can answer this.

15 A I got you.

16 Q Okay. Quotes --

17 MS. MITCHELL: How many points for this  
18 question?

19 MR. SCHWARZ: What's that?

20 MS. MITCHELL: How many points for this  
21 question?

22 MR. SCHWARZ: Excuse me? Quotes -- oh,

□

320

1 how many points does he get? I'll buy him a beer  
2 when the case is over if he likes beer.

3 THE WITNESS: I'll need a beer when it's  
4 over.

5 BY MR. SCHWARZ:

6 Q whether or not the case is over. If I  
7 have time, I'll buy you a beer tonight.

8 I'll go slowly. "Gun owners know we can't  
9 depend on the biased media to fairly cover second

LaPierre Dep

10 Amendment issues during the campaign." Blank "must  
11 act as the voice of gun owners to expose the  
12 anti-gun, anti-freedom records and policy positions  
13 of candidates seeking office. We will use print  
14 ads, direct mail, and broadcast advertising to let  
15 gun owners and freedom-loving Americans know where  
16 the candidates truly stand on second amendment  
17 issues, so together we can cast informed votes that  
18 protect our freedoms."

19 A I think that could have been said by  
20 either side of the aisle, by the NRA side or by the  
21 PVF side. I don't see anything in there that  
22 prevents it from being done by either side of the

□

321

1 organization.

2 MR. SCHWARZ: Why don't I just mark it as  
3 an exhibit. This will be LaPierre 8.

4 (LaPierre Exhibit 8 identified.)

5 BY MR. SCHWARZ:

6 Q Now I've marked as LaPierre 8 a document  
7 dated January 12th, 2000. This is from Mr. Baker to  
8 Dear NRA-PVF Supporters and Bates stamped NRA-PVF  
9 1520 to 1526. And the material I read to you  
10 happens to be on page 1525. Look at the bottom of  
11 the page. So that was the, in fact, said by the  
12 NRA-PVF.

LaPierre Dep

13 A Where are you?

14 Q If you look at the top of page 1525.

15 A Okay.

16 Q Under the heading "Voter Education

17 Advertising." So that's what I read you.

18 A Right.

19 Q And after I read it to you, you said,

20 well, that could have been said by either the NRA or

21 the PVF.

22 A Right.

□

322

1 Q So -- and this was the campaign battle  
2 plan for the National Rifle Association Political  
3 Victory Fund, correct?

4 A This was a fund-raiser the Political  
5 Victory Fund sent out.

6 Q And it included something called  
7 2000 Campaign Battle Plan, correct?

8 A Correct.

9 Q Okay. So in terms of those generalities,  
10 you wouldn't say anything different if you were  
11 sending out a battle plan for the NRA, correct?

12 A I -- I might word it a little bit  
13 different. But, I mean, the NRA can certainly say  
14 gun owners know we can't depend on a biased media  
15 to cover the second amendment.

LaPierre Dep

16           I mean, the NRA could certainly expose the  
17 anti-freedom policy positions of candidates seeking  
18 office. We will use print ads, direct mail  
19 broadcast, and know where the candidate stands on  
20 second amendment issues. I think you can do that.  
21 Together we can cast -- when you get into voting,  
22 that's probably why it was done through the PVF.

□

323

1 But, still, I mean, a lot of that, the NRA could say  
2 and do it, and it wouldn't be a problem.

3           Q    So there isn't a dime's worth of  
4 difference, is there, between the -- the broad  
5 objective of the PVF and the broad objective of the  
6 NRA, correct?

7           A    The broad objective of the PVF and the  
8 broad objective of the NRA are both to -- besides  
9 the program activity and the magazines, is to  
10 protect the second amendment and -- and to -- to  
11 take a stand in this cultural debate on this issue.  
12 And it's -- I mean, certainly NRA has a role in that  
13 cultural debate.

14          Q    And both the PVF and the NRA, as part of  
15 their broad objective, seek to, among other things,  
16 convince voters in swing states to vote the way you  
17 want them to vote, correct?

18          A    They both engage in the public policy

19 debate on this issue. And the PVF exists because of  
20 the legal status of the law that there are certain  
21 things the PVF can do that the NRA can't do.

22 But to silence the NRA side in terms of

□

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1 its ability to deal with public policy positions in  
2 general, candidates for office, legislation before  
3 Congress, while the big media conglomerates and the  
4 politicians get to say whatever they want I -- I  
5 believe guts the first amendment.

6 Q Okay. But --

7 A And I think that's what we're talking  
8 about.

9 Q That wasn't quite responsive to my  
10 question.

11 A Well, I think that is the question.

12 Q That is a -- a question that some lawyers  
13 will have to address.

14 A Right.

15 Q But in terms of the objectives and the  
16 actions of both the PVF and the NRA, to carry out  
17 their broad strategy which was in the PVF  
18 document --

19 A Right.

20 Q -- you both, that is, the PVF and the NRA,  
21 do things intended to increase the likelihood,

22 focusing on the presidential race in 2000, that

□

325

1 people will reject Gore, correct?

2 A The answer is yes. But NRA is also --  
3 deals with the cultural debate, as does the other  
4 side -- as does PVF and ILA. And there are things  
5 under the law that the PVF can do that the NRA  
6 cannot do.

7 Q Well, what are those things? Those things  
8 are using certain magic words at the end of an ad,  
9 correct?

10 A Well, for or against a political  
11 candidate; that's correct.

12 Q But other than that, what is there that  
13 PVF can do that the NRA cannot do?

14 A Well, that -- but that's a pretty big area  
15 when you're talking about engaging in independent  
16 expenditure campaigns, when you're talking about  
17 vote for this candidate, or vote against this  
18 candidate, and you're being very specific. I mean,  
19 that's a -- that's a fairly big area you're talking  
20 about.

21 Q I'm not trying to evaluate the magnitude  
22 of the area.

1 A Okay.

2 Q I'm asking whether there is any area other  
3 than adding the words vote for at the end of an ad  
4 that the PVF engages in that NRA can't engage in.

5 MR. COOPER: For the purposes of the  
6 record, I want to object to the question because it  
7 does ask for a legal opinion. The witness is a  
8 layperson. But to the extent the witness can  
9 answer, I have no objection to let the witness  
10 answer.

11 THE WITNESS: I think the substantial test  
12 under the law is vote for or against. It -- and --  
13 I mean, you get beyond that, you really get into the  
14 cultural debate on all these issues.

15 BY MR. SCHWARZ:

16 Q You're now making an argument,  
17 Mr. LaPierre.

18 A Well --

19 Q I want to have a fact from you.

20 A I think that is the fact.

21 Q As you understand it --

22 A Right.

1 Q -- is there anything that the PVF can do  
2 that the NRA cannot do other than use the words vote  
3 for or support or reject in an ad -- at the end of  
4 an ad?

5 A Well, the PVF donates monies specifically  
6 to political candidates. The PVF donates -- the PVF  
7 runs for or against advertising. You know, there  
8 maybe others. Those are the two primaries.

9 Q Those are the two things that occur to  
10 you?

11 A Yes.

12 MR. SCHWARZ: Okay. Before you answer  
13 this question, I want to give your counsel a chance  
14 to object to it. So you guys pay attention to this  
15 question. And I don't think it violates --

16 MR. COOPER: I object.

17 MR. SCHWARZ: I don't think it violates  
18 the stipulation you entered into with the FEC. But  
19 you might -- you might think otherwise, in which  
20 case, you should object.

21 BY MR. SCHWARZ:

22 Q Okay. This is a very simple question

□

1 which calls for a yes or no answer. Am I correct



2 that NRA places no <sup>LaPierre Dep</sup> limit on the dollars it gets from  
3 corporations? Just answer that yes or no.

4 MR. COOPER: Before you answer the  
5 question, can I confer with my colleague?

6 MR. SCHWARZ: Yeah.  
7 (Counsel conferred.)

8 MR. COOPER: Fritz, we do object to the  
9 question. And I would like my colleague who  
10 negotiated the agreement with the FEC to outline the  
11 nature of our objection.

12 MR. SCHWARZ: Okay.

13 MR. THOMPSON: All right. We negotiated  
14 with Mr. Hershkowitz, and all of the defendants have  
15 signed our stay, which says no more discovery, no  
16 more queries into our revenues or receipts. And the  
17 specific issue was we did not want to have to reveal  
18 any more information both on burden grounds and  
19 other grounds relating to revenue and receipts. And  
20 this question goes to our revenues and receipts.

21 MR. SCHWARZ: With all respect, David, I  
22 don't think it does. Because I'm really asking just

□

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1 a yes or no question, which is: Do you place any  
2 limit on dollars from corporations? I'm not going  
3 to ask him how many dollars he got from  
4 corporations. But I want to get an answer which

LaPierre Dep

5 would be we do not place any limit on the dollars we  
6 get from corporations.

7 MR. THOMPSON: The -- with all respect,  
8 the agreement was not confined to questions other  
9 than yes or no questions. I mean, this goes to our  
10 revenues and receipts and our policies pertaining to  
11 our revenues. You're asking if there is a policy.

12 MR. SCHWARZ: But the agreement does not  
13 say policies.

14 MR. THOMPSON: Right.

15 MR. SCHWARZ: It says --

16 MR. THOMPSON: Any question --

17 MR. SCHWARZ: The agreement -- I'm going  
18 to let you be the judge here if you would be fair  
19 minded, Chuck.

20 MR. COOPER: You can look for another  
21 judge.

22 MR. SCHWARZ: The agreement does not

□

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1 say --

2 MR. THOMPSON: I can live with that.

3 MR. SCHWARZ: The agreement does not say  
4 policies. And I think simply finding out on the  
5 record that you do not have a limit placed on the  
6 amounts you get from corporations does not in any  
7 way contravene that stipulation.

8 LaPierre Dep  
(Counsel conferred.)

9 MS. MITCHELL: You don't mind if we have  
10 an ex parte communication with the judge, do you?

11 MR. COOPER: Without in any way waiving or  
12 without any prejudice to our -- to our agreement or  
13 with respect to any other questions you may ask on  
14 this subject, I'll allow the witness to answer that  
15 question yes or no.

16 MR. GILLIGAN: Thank you.

17 MR. SCHWARZ: And I agree that there is no  
18 waiver. And I take it you do, too, Jim.

19 MR. GILLIGAN: Absolutely.

20 MR. SCHWARZ: And Randy does. And if we  
21 can't control our colleague, something is wrong with  
22 us. The defendants agree there is no waiver.

□

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1 MR. COOPER: Fair enough.

2 THE WITNESS: No, we don't have a limit.

3 BY MR. SCHWARZ:

4 Q Okay. Now, I am now going to ask you a  
5 question about donations from people, not from  
6 businesses.

7 A Right.

8 Q Do you know of any situation where any  
9 individual was urged to contribute to NRA by either  
10 a political party or a candidate full stop?

LaPierre Dep

11 A No, I don't.

12 Q And I take it you answer no, you don't  
13 know of any situation, if I went on to say any  
14 individuals urged to contribute to NRA by a  
15 political party or a candidate because NRA or NRA  
16 PAC ads were deemed effective?

17 A No, I do not know of any instances like  
18 that.

19 Q Now, do you agree with me that that could  
20 happen without your knowing about it?

21 A I don't know of any cases where it  
22 happened. I mean, it -- everything I know about

□

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1 this town, I don't -- I don't believe it's happened.

2 Q But do you agree with me it's almost a  
3 truism that you don't necessarily know, do you, the  
4 reason why people give money to NRA?

5 A I think I do. I mean, they give because  
6 they agree with the NRA and our cause. They believe  
7 in the second amendment. They support the programs  
8 that we -- that we run around the country, and they  
9 don't want to lose their freedom to own guns. And  
10 that's the overriding reason why they all give.

11 Q Okay. So you can't rule out the  
12 possibility that some political party said, you  
13 know, the NRA is really doing a great job on

LaPierre Dep

14 savaging, let's say, Al Gore in ads that mention Al  
15 Gore 50 times. And you don't know whether any  
16 political party said to somebody, you know, give  
17 some money to NRA, it will help them run more of  
18 those ads?

19 A You know, that may happen in this town,  
20 but it doesn't happen with us. I mean, I am not  
21 aware of any case ever where anybody has urged to  
22 send money to the NRA like that.

□

333

1 Q When you say that may happen in this town,  
2 that's based on your experience as a political  
3 observer in Washington, D.C., correct?

4 A No, it's just based on, if it's happening,  
5 it's not happening with us.

6 Q Okay.

7 A These candidates wants to keep all the  
8 money for themselves all the time. I mean --

9 MR. SCHWARZ: Well -- well, you can ask  
10 him some questions that relate to that subject.

11 Let's take a little recess. I'll see if I  
12 have anything more. I may not, as you'll be happy  
13 to know.

14 THE WITNESS: Give me a break.

15 MR. GILLIGAN: But I will even if he  
16 doesn't. I promise you I won't go as long as

LaPierre Dep

17 Mr. Schwarz has.

18 (Recess.)

19 MR. SCHWARZ: So what I said was, for the  
20 moment, Mr. LaPierre, I finished what I wanted to  
21 accomplish today.

22 EXAMINATION

□

334

1 BY MR. GILLIGAN:

2 Q Mr. LaPierre, just to reintroduce myself  
3 after these many a hours, my name is Jim Gilligan  
4 with the Justice Department. Based on what I've  
5 heard today, I don't think the questions I've got  
6 for you will take us too, too long.

7 A Right.

8 Q Just to nail down, Mr. Baker, in his year  
9 of service as executive director of the ILA, I  
10 believe you testified earlier that, after  
11 Ms. Metaksa departed in the spring of 1998,  
12 Mr. Baker returned as executive director.

13 A That's correct.

14 Q And has he remained in that position until  
15 the present?

16 A He has remained in that position up until  
17 April of this year, 2002. And -- yeah. And either  
18 the last week of April or the first week of May, he  
19 stepped down. And the new executive director is a

20 man named Chris Cox, C-O-X.  
LaPierre Dep

21 Q And is this the same Mr. Cox that you  
22 referenced earlier as the chairman of the -- current

□

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1 chairman of the PVF?

2 A He would be, yes; that's correct.

3 Q And how long has he been chairman of the  
4 PVF?

5 A Since he assumed the duties as executive  
6 director of ILA, which would have been that last  
7 week of April --

8 Q Oh, okay.

9 A -- 2002.

10 Q And who was the chairman of the -- oh, I  
11 take it, Mr. Baker was chairman of the PVF until  
12 April of 2002 as well?

13 A That's correct. That's correct.

14 Q Okay. Although I believe I had stepped  
15 out at this particular moment earlier, I understand  
16 your prior testimony to have been that you do not  
17 recall the NRA as opposed to the ILA or the PVF --

18 A Right.

19 Q -- sponsoring any radio or television  
20 broadcast in the year 2000 other than the  
21 infomercials?

22 A I did not recall that.

□

336

1 Q Okay. Okay. And you did not recall --  
2 returning your attention to Exhibit 6, the Heston  
3 DOJ Radio 60-second soft money ad --

4 A Okay.

5 Q -- I believe your testimony was is you --  
6 you did not recall this ad being broadcast by the  
7 NRA. Just to recap.

8 A No, I did not.

9 Q All right.

10 A All, on seeing it, along with seeing the  
11 radio, I agree it looks like it was designed for  
12 soft dollars on the NRA side. And it -- I mean,  
13 I -- I'll double-check it. But I concede the point  
14 it probably ran.

15 Q Okay. Who within the NRA other than  
16 yourself would be most likely to know if it, in  
17 fact, ran or not?

18 A Actually our advertising agency would be  
19 the most -- most likely to know.

20 Q Just judging from the Bates stamp number  
21 at the bottom, this would be the Ackerman McQueen  
22 agency.



1 A That's correct.

2 Q But other than that, who within the NRA  
3 itself would be most likely to know?

4 A Maybe Jim Baker. On the other hand, he  
5 might say, look, that's the NRA's side. I don't  
6 know. Possibly Mary Corrigan who -- who works in  
7 our office. But I -- maybe, maybe not she would  
8 know.

9 Q Okay. What is her position within the  
10 organization?

11 A Chief of staff.

12 Q Chief of staff. She reports to you?

13 A Yes.

14 Q Is there any chance that this was an  
15 advertisement sponsored by the ILA?

16 A I doubt it. Because, based on what's  
17 here, it looks like it was -- if it ran, I would  
18 imagine it ran on the NRA's side.

19 Q Okay. Why do you doubt the NRA would have  
20 sponsored this advertisement?

21 A Because it -- because this says soft,  
22 which -- which would have implied it's not with PVF

LaPierre Dep

1 dollars or not with ILA dollars or ILA soft dollars.

2 It -- and so it -- if it ran, it probably  
3 ran out of the NRA side.

4 Q Okay.

5 A But I can find out by asking the ad  
6 agency.

7 Q Sure.

8 A And we'll do that. And you're going to be  
9 talking with them also.

10 Q That's my understanding. Do you generally  
11 consider funds expended by ILA to be hard dollars as  
12 opposed to soft dollars?

13 A No. We consider funds spent by ILA, we  
14 consider funds spent by the PAC as hard dollars.  
15 ILA has soft dollars also that they can spend.

16 Q Uh-huh.

17 A And then NRA has soft dollars that they  
18 can spend.

19 Q Okay. So then the reference in Exhibit 6,  
20 the word "SOFT" there in the upper left-hand corner  
21 that doesn't necessarily exclude ILA as the sponsor?

22 A It wouldn't necessarily exclude them. The

□

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1 only reason I tend to think it might be NRA is NRA  
2 works more with Ackerman McQueen. ILA worked more  
3 with Edmonds, although there is some crossover. And

4 that's -- it's a guess is what I'm doing.  
5 Q Okay.  
6 A But we can find out.  
7 Q Okay. If the NRA, as opposed to ILA or  
8 the PVF ran this ad, who would have approved the ad?  
9 A I probably would have if the NRA ran it.  
10 Q If ILA ran it, would Mr. Baker have  
11 approved it?  
12 A If ILA ran it, Mr. Baker would have.  
13 There's a slight chance Mary Corrigan could have  
14 seen it and approved it, but it's not likely.  
15 Q That is to say if the NRA ran it?  
16 A If the NRA ran it.  
17 Q Now, I understand you to have testified  
18 earlier that the ILA raises its own funds.  
19 A They do.  
20 Q And separate and apart from the  
21 fund-raising efforts of the NRA or the PVF?  
22 A That's correct.

□

1 Q Okay. And are those funds maintained in  
2 accounts separate from the funds of the NRA and the  
3 PVF?  
4 A That's correct.  
5 Q And can you explain to me why that is.  
6 A That's -- that's a -- it's the way NRA is

LaPierre Dep

7 structured and has always been structured, going  
8 back to when they created the NRA Institute for  
9 Legislative Action back in '74 and '75. And they  
10 put it in the bylaws. They set up in the bylaws a  
11 separate fiscal office for ILA.

12 The PVF is more created that way because  
13 of the election law. It requires it. But ILA is  
14 set up that way primarily because of whoever drafted  
15 the NRA bylaws back in '74 and '75 for ILA.

16 Q Uh-huh.

17 A And it was voted on by the board and sent  
18 to the membership. That's the way they did it.

19 Q Uh-huh.

20 A I think the way they did it is they wanted  
21 a -- they wanted a strong voice in legislation and  
22 politics for the NRA. And at that point, they felt

□

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1 that the best way to do that was to separate it all  
2 under the umbrella organization but give it a  
3 separate home.

4 Q Okay.

5 A They felt that it wouldn't be marginalized  
6 within the other missions of the NRA if they put it  
7 separate over here.

8 Q Okay. And -- okay.

9 Now, you've testified earlier that

10 Mr. Baker was simultaneously both the executive  
11 director of the ILA and the chairman of the PVF,  
12 correct?

13 A That's correct.

14 Q Okay. Is that -- is that the typical way  
15 of doing things within the organization, to have the  
16 chairman of the PVF be the same person as the  
17 executive director of the ILA?

18 A I don't know whether it's typical in other  
19 organizations. It's the way NRA has -- has always  
20 been, again, going back to '75 when the -- when it  
21 was set up.

22 Q Uh-huh.

□

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1 A It's the way it was -- it's the way it was  
2 structured back then. And it's the way it's always  
3 been ever since '75.

4 Q Okay.

5 A I don't -- I don't think it has to be that  
6 way. It's just the way the NRA has always done it.

7 Q Okay. Other than the chairman of the PVF  
8 also serving as the executive director of the ILA,  
9 is there any other organizational relationship  
10 between the two entities?

11 A Yes. NRA -- ultimately, it's one  
12 organization. I mean, I appoint the executive

13 director of ILA.

14 Q Uh-huh.

15 A NRA funds the salaries of the people that  
16 work from ILA. And NRA funds the office space and  
17 the lighting and the heat and all of that.

18 ILA raises the rest of the money that they  
19 use for the PAC and they use -- they raise the rest  
20 of the money they use for ILA through those  
21 fund-raising letters we were talking about  
22 earlier --

□

343

1 Q Uh-huh.

2 A -- that ILA does.

3 Q Okay. Does ILA, as opposed to the PVF or  
4 the NRA, sponsor or pay for any broadcast television  
5 or radio ads?

6 A They do. They run radio, TV, newspaper  
7 ads based on legislative issues, based on -- I don't  
8 know how much -- how many ads they've run that were  
9 soft ads with ILA dollars. But they can do it as  
10 long as they don't say vote for or against a  
11 candidate. I just don't know how many they've run  
12 in the last couple of years or whether they've done  
13 any.

14 But they -- they can do that. And they  
15 definitely run issue ads because -- that I'm -- and

LaPierre Dep

16 have run issue ads that I'm aware of talking about  
17 legislation and Congress.

18 Q Okay. Did ILA run any ads -- I'm sorry.

19 A They've also run ads -- I'm sorry.  
20 They've also run ads in publications aimed at our  
21 membership specifically.

22 Q Okay.

□

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1 A ILA has.

2 Q Sure. Okay. Focusing on the broadcast  
3 television and radio ads, can you recall whether ILA  
4 ran any such ads in the year 2000?

5 A I know they ran ads through the PAC, a  
6 bunch of ads through the PAC.

7 Q True enough.

8 A You know, it's easy to check. I just --  
9 I'm just not sure. I mean, they may have. They  
10 probably did. But most of their ads I believe they  
11 paid for out of the PAC.

12 Q Okay. How would you go about checking to  
13 find out once you're free from the confines of this  
14 conference room?

15 A I would ask Tom Edmonds who did most of  
16 the ILA ads as opposed to Ackerman McQueen whether  
17 they ran any. Because if they did them, he would  
18 have done them. And I would also ask Ackerman

19 McQueen whether they did any for ILA if in -- that  
20 were paid for out of ILA dollars.

21 Q Uh-huh.

22 A Because if they were run, those two

□

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1 groups -- one of those two groups would run it.

2 Q Within the NRA itself --

3 A And I would ask Jim Baker. I'm sorry.  
4 That's the third. Jim Baker, I'd ask him.

5 Q Okay. Is he no longer with the  
6 organization in any capacity?

7 A No, he's working in a consulting capacity  
8 with the NRA. But he's out on his own now.

9 Q Okay. Who -- who -- who within the  
10 organization presently would you ask, then, since  
11 Mr. Baker is not there?

12 A Maybe Mary Rose Jennison, the fiscal  
13 officer for ILA.

14 Q Uh-huh.

15 A I guess Chuck Cunningham maybe, our  
16 federal director. I don't think Chris Cox would  
17 have known because, when we appointed Chris, we  
18 jumped him over Chuck.

19 Q Uh-huh.

20 A And Chuck was actually the federal  
21 director in the 2000 election cycle, Chuck



22 Cunningham was. And Chris was lower in the chain of

□

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1 command. So I think Chuck would have a better grasp  
2 of what was done specifically.

3 Q Okay. And what were his duties and  
4 responsibilities as federal director during the  
5 2000 elections?

6 A It was legislation. It was also sending  
7 federal recommendations forth to the political  
8 action committee regarding Congressmen and Senators  
9 as opposed to Governors and State Legislators. That  
10 would have been done by our state director.

11 Q What sort of recommendations would you  
12 send to the PAC regarding Congressmen and Senators?

13 A For, against, support or oppose.

14 Q Run an ad, don't run?

15 A Run an ad, don't run an ad. Stuff like  
16 that.

17 Q Okay.

18 A Those types of things.

19 Q Would he help the PAC identify the  
20 battleground states, for example, where it might  
21 want to run an ad?

22 A Yes.

1 Q Okay. Let's talk a little bit about the  
2 PVF then. I believe you said earlier -- and I'm  
3 paraphrasing your testimony, so please correct me if  
4 I get something wrong.

5 A Okay.

6 Q But you said the PVF tried to conserve its  
7 resources for independent expenditures and other  
8 activity that the law requires to be financed with  
9 hard money.

10 A Right.

11 Q Okay. Do you know of any expenditures --  
12 let's focus again on the year 2000 --

13 A Right.

14 Q -- by the PVF that were not independent  
15 expenditures.

16 A Yes. I think the PVF paid for its own  
17 fund-raising costs, which under the law is not  
18 required but --

19 Q Fire alarm.

20 (Discussion off the record.)

21 THE WITNESS: That's the only one I'm  
22 aware of is they paid for their own fund-raising

1 costs.

2 BY MR. GILLIGAN:

3 Q All right. Is it fair to say, then, that  
4 you're not aware of any broadcast or television  
5 advertisements by the PVF in the year 2000 that did  
6 not contain express language urging the viewer or  
7 the listener to vote for or against a candidate?

8 A I don't know that I put it that way. I  
9 think most of -- because most -- I think almost all  
10 of what ILA did --

11 Q We're talking about the PVF.

12 A Yeah. They did through the PVF.

13 Q Oh, okay.

14 A So they may have run ads without saying  
15 vote for or against a candidate that they paid for  
16 by PVF dollars also -- because I think, firstly, all  
17 the -- I'm not sure, but I think most of the  
18 political advertising ILA did in 2000 was paid for  
19 by PVF dollars.

20 Q Uh-huh.

21 A I think they -- my hunch is they probably  
22 said vote for or against in most of the ads.

□

1 Q Uh-huh.

LaPierre Dep

2 A But there may very well be ads where they  
3 didn't say vote for or against.

4 Q And you're saying -- well, are you saying  
5 that you know of any specific ads where that  
6 happened or you just can't exclude the possibility?

7 A I can't exclude the possibility is what  
8 I'm saying.

9 Q But you don't know specifically as you sit  
10 here of any such advertisements?

11 A No. But it -- it's logical to me that  
12 there may very well be those types of ads. But I'm  
13 just not sure.

14 Q You said a moment ago you were unaware if  
15 the ILA ran any broadcast television or radio  
16 advertisements, the ILA as opposed to the PAC --

17 A Right.

18 Q -- in the year 2000. Is your answer the  
19 same with respect to 1998 and 1996 --

20 A The --

21 Q -- that is to say, you don't know?

22 A Yeah, the -- my gut is, if they did it,

□

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1 they did it through the PVF.

2 They -- I think that they probably used  
3 the ILA dollars more for legislation. They may have  
4 run ads on legislation mentioning a candidate's

LaPierre Dep  
5 name. But it would be specific -- or specific to  
6 legislation up there --

7 Q Uh-huh.

8 A -- or in State Legislatures. They are to  
9 pay for mailings that went to our members and things  
10 like that, all the mail that went out to the members  
11 and races all over the country. That tends to be  
12 what ILA dollars are used for.

13 (Discussion off the record.)

14 (Recess taken for fire alarm emergency.)

15 BY MR. GILLIGAN:

16 Q Okay. Picking where we left off, let's  
17 talk for a bit, Mr. LaPierre, about the infomercials  
18 run by the NRA again as opposed to ILA and PVF.  
19 Although, first, let me double-check here. The  
20 infomercials that we've been discussing today that  
21 were run in the year 2000, am I correct in  
22 understanding that all of these were sponsored by

□

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1 the NRA as opposed to ILA or the PVF?

2 A That's correct.

3 Q Okay. Now as I understand it, the NRA  
4 first began running these infomercials in -- was it  
5 late 1999? Is that the date you gave?

6 A I think late 1999. They may have actually  
7 gone on the air in early 2000. But I know that we

8 started talking about them in late 1999.

9 Q Okay. And what was it that got you  
10 started talking about them? Was it the Clinton-Gore  
11 culture wars?

12 A Yeah, it was the -- it was the extent to  
13 which we were being bashed every time we turned on  
14 the television, every time -- I mean, it was just  
15 unbelievable what we were going through.

16 I mean, they had a strategy, as I said, to  
17 center stage the gun issue in the 2000 election.  
18 And they were doing everything they could to make  
19 that happen. They were -- they were -- I mean, they  
20 were working with the major news media outlets.  
21 They were personally bashing us all the time. They  
22 were -- the DNC, the Democratic -- I mean the

□

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1 whole -- the whole mechanism of the national  
2 Democratic Party, from the White House to the DNC to  
3 the media companies to the anti-gun groups.

4 And we felt that we were going to get  
5 buried unless we got our side heard. And our  
6 problem is we don't have the amount of media dollars  
7 that they have.

8 Q I understand. Since time is short, if I  
9 may cut you off there.

10 A Sure.

LaPierre Dep

11 Q Okay. Thank you. And just to be clear,  
12 the "they" you're referring to are President  
13 Clinton, Vice President Gore, and the national  
14 Democratic Party apparatus?

15 A And the free media that they get from the  
16 media companies just picking up what they say and  
17 running it.

18 Q Okay. And another -- another event that  
19 instigated the infomercials was -- or your decision  
20 to air the infomercials was the Million Mom March  
21 and the media surrounding that?

22 A That was another part of it. And it was

□

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1 also the fact that, what was going on, we felt that  
2 gun owners were not getting the truth from the  
3 national media. And there were stories like England  
4 and Canada and Australia where gun -- politicians  
5 broke the promises and were confiscating guns that  
6 were simply not being told on the national networks.  
7 So we decided to come up with this 60-minute news  
8 format.

9 Q Uh-huh.

10 A And pump the new -- our news, which we  
11 believe is the truth, out to the country and  
12 hopefully raise members, raise money and influence  
13 public opinion.

LaPierre Dep

14 Q Okay. Once you decided to, in late 1999,  
15 to run the infomercials, how long did it take to get  
16 them on the air once you made that decision?

17 A I think about probably 2 months, a month  
18 and a half, something like that. It takes about a  
19 month to put one together.

20 Q Okay. To put one together and then to get  
21 it on the air?

22 A That's correct.

□

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1 Q Okay. And you mentioned the pods that go  
2 into the -- into the infomercials, that is to say,  
3 the segments, the story segments is that another way  
4 of putting it.

5 A Uh-huh.

6 Q You probably need to say yes or no.

7 A That's correct. I'm sorry.

8 Q And you -- and I believe you testified --  
9 and please correct me if I'm wrong -- that, as the  
10 year 2000 progressed, the -- you updated the  
11 segments, you added new segments, took out some old  
12 ones as the year progressed right up until the time  
13 of the election.

14 A That's correct. And after the election.

15 Q How long did the infomercials run after  
16 the election?



LaPierre Dep

17           A     Probably into the middle of 2001. We did  
18 a big pod on the UN. We did a big pod on the -- on  
19 the millennial kids and a couple of other things.  
20 And we gradually dropped it off because the dollars  
21 ran out.

22           Q     Uh-huh.

□

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1           A     What we found out is after -- after the  
2 election and everything else, and after the attack  
3 ceased, we could still get them on the air, but they  
4 weren't producing the members and the revenue that  
5 they did before.

6           Q     Uh-huh.

7           A     So we gradually decided to discontinue  
8 them.

9           Q     Okay. Have you run any since then?

10          A     Not since -- not since we -- we stopped --  
11 stopped them in the middle of 2001. Although we're  
12 in the process of now putting together another pod  
13 based on what's going on in England again where they  
14 pretty much outlawed self defense. And there's  
15 this -- some people like Tony Martin that have been  
16 thrown in jail because of a robber breaks into their  
17 house and uses a shotgun to save himself, and they  
18 end up throwing the guy in jail. So we're looking  
19 at doing the rising crime rate in England. We're

LaPierre Dep  
20 looking at doing stuff like that.

21 Q Okay. And did I understand your testimony  
22 correctly that the -- the -- when you first

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1 considered -- well strike that.

2 Do I understand your testimony correctly  
3 to have been that the first time the NRA ran these  
4 infomercials was in the beginning of the year 2000?

5 A I think it was. I think it was about  
6 February, March of 2000.

7 MR. GILLIGAN: Okay. Can we go off the  
8 record? I need to make inquiry, but I need to  
9 conserve my time as well.

10 (Discussion off the record.)

11 MR. GILLIGAN: I have some questions for  
12 the witness regarding advertisements, whether they  
13 be infomercials or spot ads, that the NRA or the ILA  
14 or PVF might be running in the year 2002.

15 But the NRA's counsel advises that the NRA  
16 does not intend to put those or such advertisements  
17 from the year 2002 into issue in the case. And on  
18 the basis of that representation, I will refrain  
19 from asking those questions with reservation of  
20 rights.

21 MR. COOPER: And I confirm that  
22 understanding as stated.

1 BY MR. GILLIGAN:

2 Q Okay. All right. With the short time  
3 remaining, I don't know if this -- you'll consider  
4 this a treat or not, Mr. LaPierre, but I'm going to  
5 ask you some questions on a different subject than  
6 the ads; and that's soft money.

7 A Right.

8 Q First, let's make sure we have a common  
9 understanding of our terminology. I understand a  
10 soft money donation to be a donation that's not  
11 subject to the source or amount limitations of the  
12 Federal Election Campaign Act. Is that consistent  
13 with your layman's understanding of what the term  
14 soft money means?

15 A That's correct.

16 Q Okay. To your knowledge, has the NRA made  
17 soft money donations without being solicited for  
18 them?

19 A No. I don't think we have. I think -- I  
20 think the soft money donations that we've made have  
21 either been -- you're talking about -- you're not  
22 talking about soft money on ads now, you're talking

1 about soft money contributions to a party or  
2 something like that, right?

3 Q Right. Not money that you spend on your  
4 own activities, but money that you give to somebody  
5 else to spend.

6 A No, I think we've always been solicited.

7 Q Okay. Have you been solicited by  
8 candidates for federal office or federal office  
9 holders?

10 A The way it almost -- the way it happens is  
11 there are -- there are programs. There are dinners.  
12 There are fund-raising functions. And you will get  
13 a call from the committee. You might get a call  
14 from a Congressman or a Senator. You might get a  
15 call from -- from somebody working on a committee  
16 around town --

17 Q Uh-huh.

18 A -- as king whether we'll contribute or  
19 not.

20 Q Uh-huh.

21 A And we've been contacted by all of those  
22 sources in the past, I mean, by all of them.

LaPierre Dep

1 Q Okay. And when you say a committee, are  
2 you referring to one of the national party  
3 committees?

4 A Yes. I mean we get -- we get  
5 solicitations from the Republican National  
6 Committee, from the -- from the Democratic National  
7 Committee. I bet you the DNC lately, we've been on  
8 just a mailing list, and they haven't purged their  
9 mailing list, but you get it in the mail.

10 we get solicitations from the various  
11 programs that the committees run. I mean, they have  
12 different programs they run, and you can contribute,  
13 and for this dinner or for this event or something  
14 like that.

15 Q Uh-huh. When the solicitation comes in  
16 the form of a telephone call, who normally at the  
17 NRA is the person who receives such calls?

18 A It's a wide variety. It goes from -- it  
19 goes from lobbyists to the -- our federal director,  
20 to our state director to our director of the  
21 institute to -- to folks on my side, to me  
22 personally to -- I guess those are the primary

□

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1 people that are contacted.

2 Q Uh-huh.

3 A And it could be any of the ILA people

LaPierre Dep

4 and/or it could be my office also.

5 Q Okay. Has the NRA ever received a  
6 solicitation to make a soft money donation to an  
7 organization other than a national political party  
8 committee?

9 A Yes. We -- we're contacted all the time.  
10 And we're contacted by fund-raising charities.  
11 We're contacted by dinners running around town to  
12 benefit fund-raisers. We're contacted by other  
13 organizations in town that -- we're contacted -- I  
14 mean, the Attorney General's Association, the  
15 Governor's Associations. The -- I mean, you name  
16 it, people are asking.

17 Q Well, I'm -- setting aside both national  
18 political party committees and state party  
19 committees or State Attorney Generals or National  
20 Governor's Association, did you ever receive  
21 solicitations to give to other -- let's use the  
22 term -- interest group organizations such as, say,

□

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1 the NRA itself?

2 A Yeah. We -- yes. We've given -- well, I  
3 don't know interest groups. Like, we've given money  
4 to the Congress of Racial Equality, I mean, that  
5 type of thing where they -- they -- they agree with  
6 us on the issue pretty much, and they do a big

LaPierre Dep

7 dinner every year in New York. And Roy Innis is on  
8 our board of directors. So we give them money.  
9 We've given money to -- I think we've given money to  
10 American Conservative Union for conferences that  
11 they do.

12 Q Uh-huh.

13 MR. COOPER: You know, are we talking  
14 about soft money?

15 MR. GILLIGAN: Yes.

16 THE WITNESS: Where they highlight our  
17 issue at the conferences. We've given money to  
18 state Attorney General's Association, groups like  
19 that.

20 We just gave some money to the Democratic  
21 Governor's Association. The charities -- the -- I'm  
22 trying to think of who else.

□

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1 I think we've given money to -- I mean,  
2 groups like that, the Law Enforcement Alliance of  
3 America, groups like that we give money to.

4 BY MR. GILLIGAN:

5 Q Has the NRA ever been solicited --  
6 focusing on soft money donations to other interest  
7 group organizations --

8 A Right.

9 Q -- has the NRA ever received solicitations

10 from a national political -- a national party  
11 committee to make one of these donations to another  
12 interest group?

13 A The national party committee asking us if  
14 we would give money -- I don't -- I don't think so.  
15 I don't remember that occurring. I mean, most -- we  
16 are always contacted by -- by the principle.

17 I mean, if the State Republican Attorney  
18 Generals want a donation, they contact us directly.  
19 If the Republican National Committee wants a  
20 donation, they contact us directly. If the -- if  
21 CORE, they contact us. I mean, it's -- I don't  
22 remember one of the national parties saying, hey,

□

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1 you need to contribute to this group or that group.  
2 I just -- I don't think so.

3 Q Okay. Has any national party committee  
4 ever made a soft money donation to the NRA?

5 A No. It's pretty much a one-way street.  
6 No, I don't remember that. I don't think that's  
7 ever occurred.

8 Q How about a state party committee?

9 A No.

10 Q No.

11 MR. GILLIGAN: Can we go off the record  
12 just a moment.



LaPierre Dep

13 (Discussion off the record.)

14 BY MR. GILLIGAN:

15 Q Within the NRA, are there -- do you have  
16 separate individuals employed by the organization  
17 who lobby on federal issues and others who lobby on  
18 state issues?

19 A Yes, we do.

20 Q Okay. Do the -- let's call them the  
21 federal lobbyists, do they ever receive  
22 solicitations from Congressmen or national party

□

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1 committees for soft money donations?

2 A Yes. Yes, they do.

3 Q Okay. I think I may have just one more  
4 question.

5 Last question. Coming back to the ILA, do  
6 you know whether that has been established as a  
7 separate fund within the NRA for any tax purposes?

8 A You know, I would have to ask the lawyers  
9 whether they did it for tax purposes. I believe ILA  
10 is a 501(c)(4).

11 Q Okay.

12 A It -- I'd have to -- it -- our foundation  
13 that the NRA has, it doesn't do anything political,  
14 is a 501(c)(3).

15 Q Okay.

LaPierre Dep

16 A Our program activities of the NRA, I  
17 believe, are a 501(c)(4). And I don't know what the  
18 PAC is. The PAC is whatever the law requires it to  
19 be.

20 Q I'm sure.

21 A But I don't -- I don't think the reason it  
22 was done was tax purposes. Because there was a big

□

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1 battle whether the organization was putting enough  
2 emphasis on legislation and politics back at the  
3 time. And there were people that wanted to -- a  
4 majority of the people that wanted to separate the  
5 legislative and political function and give it a --  
6 put it out here so it would have a higher profile  
7 than if it was in the day-to-day working of the  
8 organization. And then that's really why it was  
9 done.

10 Q Okay.

11 A But there may be some tax advantage to do  
12 it, too. If there is, I just don't know what it is.

13 Q Okay. Do you know whether the ILA is  
14 something called a 527 committee or a 527 fund?

15 A No, I don't.

16 Q Okay.

17 A It -- is that what everybody is talking  
18 about under the new IRS -- under the new campaign

LaPierre Dep

19 finance regs and all that? I don't know what the  
20 term means.

21 Q The answer to your question is I think so,  
22 if that helps you.

□

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1 A I had some press people talking about 527s  
2 or -- I didn't know what it was when they started  
3 talking about it.

4 Q Okay. All right. I have no further  
5 questions. Thank for you your indulgence.

6 MR. SCHWARZ: And I also have no further  
7 questions.

8 (Whereupon, the deposition concluded at  
9 6:43 p.m.)

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I HEREBY CERTIFY that I have read this transcript of my deposition and that this transcript accurately states the testimony given by me, with the changes and corrections, if any, as noted.

X \_\_\_\_\_

subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

X \_\_\_\_\_

Notary Public

My commission expires: \_\_\_\_\_.

1 C O N T E N T S

2

3 WITNESS EXAMINATION

4 WAYNE LaPIERRE

5 by Mr. SCHWARZ 6

6 by MR. GILLIGAN 333

7

8

9 E X H I B I T S

10

11 EXHIBIT NO. IDENTIFIED

12 1 Transcript of TV ad, dated  
13 October 9, 2000 50

14 2 Washington Post article, dated  
15 May 4, 2000 73

16 3 Letter to NRA member from Wayne  
17 LaPierre, dated March 16, 2001 97

18 4 Letter to Fellow NRA Member from  
19 James Jay Baker 183

20 5 Script of ad entitled "NRA  
21 Heston DOJ Radio:60" 254

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1	EXHIBITS (CONTINUED)	
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3	EXHIBIT NO.	IDENTIFIED
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5	ELECTION TV"	255
6	5B CD of radio ad labeled "From NRA-ACK	
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13	7 Article from American Rifleman,	
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