



Written by [Joe Wolverton, II, J.D.](#) on September 11, 2016

U.S. Lawmakers Call Out State Dept. Backdoor to Gun Control

Two dozen U.S. senators and over 100 U.S. representatives are standing between the State Department and a backdoor to a federal gun grab, signing their names to letters addressed to Secretary of State John Kerry alerting him to their awareness of the attempt to disarm Americans. The letters, [one from the Senate](#) and [the other from the House](#), were both dated August 29.



According to reports, the State Department Directorate of Defense Trade Controls (DDTC) will levy heavy fees and impose a roster of new regulations on businesses selling guns and ammunition in a manner that would violate the Constitution's clear prohibition on the infringement of the right to keep and bear arms.

Specifically, the DDTC's proposed new guidelines state:

Any person who engages in the United States in the business of manufacturing or exporting or temporarily importing defense articles, or furnishing defense services, is required to register with the Directorate of Defense Trade Controls under §122.2. For the purpose of this subchapter, engaging in such a business requires only one occasion of manufacturing or exporting or temporarily importing a defense article or furnishing a defense service. A manufacturer who does not engage in exporting must nevertheless register.

The National Rifle Association's Institute for Legislative Affairs tried to clear up the confusing jargon, explaining in a blog post that the DDTC's proposal had "far more confusion than clarity and threatens to chill lawful behavior and put small commercial gunsmiths who cannot afford [the fee requisite to manufacturing status] out of business."

In other words, anyone unable to clear the Obama administration's bureaucratic hurdle will forfeit the right to sell guns or ammunition. Consequently, those who could only afford to buy bullets or guns from these smaller sellers would be left wanting for a way to defend their families and their property and their liberty.

In another section of the DDTC regulations, fees and registration are required for "use of any special tooling or equipment upgrading in order to improve the capability of assembled or repaired firearms," "modifications to a firearm that change round capacity," "production of firearm parts (including, but not limited to, barrels, stocks, cylinders, breech mechanisms, triggers, silencers, or suppressors)," all of which are unconstitutional and unannounced violations of fundamental freedoms committed by a cadre of unelected, unaccountable bureaucrats whose edicts carry draconian penalties under the counterfeit color of law.



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In the text of their letters, the U.S. senators and representatives declare that the “the last thing they [the affected small businesses] need is an edict from the federal government imposing crippling fees and requirements which are wholly unnecessary and nonsensical.”

In truth, though, it doesn’t matter if the requirements were “necessary” or “sensical.” The Second Amendment to the Constitution is an absolute prohibition on any infringement whatsoever on the part of the federal government on the right of Americans to keep and bear arms.

In fact, there is nothing in the Second Amendment that contemplates any sanction of federal contraction of the right to keep and bear arms — any arms.

The text of the Second Amendment is very clear regarding the government’s ability to qualify this most basic liberty: “the right of the people to keep and bear arms, shall not be infringed.”

Tyrants and their partisans pretend that the government has the right to give and take away the right to own firearms depending on whether the person has complied with “reasonable” federal guidelines such as those proposed by the State Department.

This is treachery!

Although Americans have allowed the boundaries of this liberty to be redrawn by Congress, the courts, and the president, the plain language of the Second Amendment explicitly forbids any infringement on this right that protects all others.

In fact, the reason for inclusion of the Second Amendment in the Bill of Rights had little to do with the British and more to do with future attempts by an out-of-control, all-powerful central authority disarming the American people as a step toward tyranny.

Take, for example, theses statements by our forefathers regarding the purpose of the passage of this amendment.

In commenting on the Constitution in 1833, Joseph Story wrote:

The right of the citizens to keep and bear arms has justly been considered, as the palladium of the liberties of a republic; since it offers a strong moral check against the usurpation and arbitrary power of rulers; and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them.

In his own commentary on the works of the influential jurist William Blackstone, Founding-era legal scholar and staunch states-rights advocate St. George Tucker wrote:

This may be considered as the true palladium of liberty.... The right of self defence [sic] is the first law of nature: in most governments it has been the study of rulers to confine this right within the narrowest limits possible. Wherever standing armies are kept up, and the right of the people to keep and bear arms is, under any colour [sic] or pretext whatsoever, prohibited, liberty, if not already annihilated, is on the brink of destruction.

Writing in *The Federalist*, Alexander Hamilton explained:

If the representatives of the people betray their constituents, there is then no resource left but in the exertion of that original right of self-defense which is paramount to all positive forms of government, and which against the usurpations of the national rulers, may be exerted with infinitely better prospect of success than against those of the rulers of an individual state.



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While Senators Cotton, Grassley, et al are to be commended for their effort to slam closed the backdoor to disarmament opened by John Kerry, state lawmakers and executives could close the door permanently by reclaiming their role as creators of the Constitution and all authority granted therein.

In point of fact, the entire panoply of federal intrusions upon the liberties of Americans could be quashed overnight should state officials commit themselves to stand firm in upholding principles of federalism by forcing the federal government to remain confined inside its constitutional cage.

Nullification is the key to controlling the federal government, to protecting the Constitution, and to walling off the fundamental liberties of the people from the always advancing armies of federal despotism.

Nullification, as defined by Jefferson in the Kentucky Resolution of 1798, is the most powerful weapon against the federal assault on state sovereignty and individual liberty.

As Jefferson explained in the Kentucky Resolution, states, as creators of the federal government, have the authority to nullify any act of the federal government that exceeds the constitutional boundaries of its delegated powers.

By applying the principles Jefferson expounded in that seminal document, states could simultaneously rebuild the walls of sovereignty once protected by the Constitution and drive the forces of federal consolidation back to the banks of the Potomac.



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