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## **Jews for the Preservation of Firearms Ownership responds to the Obama administration's attempt to ban certain accurate ammunition**

Larry Keane, General Counsel for the National Shooting Sports Foundation, stating its position on FOX News on Friday, February 27, 2015, made an admirable case for stopping the rogue federal agency BATFE, in its outrageous attempt to ban ammunition to the American public, but like all mainstream firearms groups, there is a critical mistake in the proposals.

The unelected bureaucrats at BATFE have no legitimate power to ban ammunition. Arguing fine points about one type of ammunition or another misses the constitutional reality of the subject. They fall into the subterfuge trap set by the Obama administration's headlong disdain for the U.S. Constitution and the rule of law.

Banning ammunition infringes upon the Second Amendment and is forbidden.

BATFE and Congress have no authority to act in this arena. Government is only legitimate if it acts with the consent of the governed. That consent is found in our Constitution. Elected and appointed officials are specifically prohibited from acting in this regard.

These out-of-control unelected bureaucrats should not just apologize, as Keane politely requests, or withdraw as others suggest. The people responsible for this travesty should be placed under arrest for attempting to grossly violate the specific enumerated Second Amendment rights of the people.

There is no tolerance for deviation from this standard of legal performance.

Imprisonment for this fundamental departure from rule of law and protection of the innocent is required for such acts of tyranny, to forestall popular uprising against usurpation.

BATFE has shown its true colors yet again in this tyrannical attempt to incrementally disarm the U.S. public, which JPFO alone recognizes and voices. BATFE stands out among federal agencies in attempting such rogue, illegal and contemptible actions. The responsible parties should be dealt with swiftly and harshly, to set examples for others who might contemplate such illegal usurpations of power.

With respect to so-called armor-piercing ammunition, and a remedy for its use:

Any shot fired at lawful authorities is illegal.

Any shot fired at any innocent person is illegal.

Murder is punishable by death.

Attempted murder is illegal with severe punishment.

Inchoate aggravated assault carries severe penalties.

The type of ammunition or weapons used is immaterial and of no consequence.

The ability to pierce a bullet-resistant garment is immaterial and without consequence.

Shooting at innocent officials is of no greater consequence than shooting at any innocent black person or innocent Jew or any other innocent human being.

Raising the penalty or consequence for shooting at one innocent person over another is immoral.

The government's effort to ban accurate ammunition, leaving the public with only less-than-accurate ammunition, is a detestable affront to human decency, the right to protect life and limb, and the holy principles of the Second Amendment to the United States.

The so-called "news" media, in failing to even explore such fundamental and basic issues, betrays its duty to inform the American public.

Writing letters to rogue agency officials as BATFE beseeches us to do before they issue dictums is a fool's errand and complete waste of time and energy.

This is the position of Jews for the Preservation of Firearms Ownership, and should be the position of any right thinking human being.



### **THE JPFO POSITION ON BATFE DOCUMENT:**

**“ATF FRAMEWORK FOR DETERMINING WHETHER CERTAIN PROJECTILES ARE “PRIMARYLY INTENDED FOR SPORTING PURPOSES” WITHIN THE MEANING OF 18 U.S.C. 921(a)(17)(C)”**

Using complex legal reasoning in a 17-page document, BATFE plans to ban a certain type of 5.56 caliber ammunition, which it now claims has become armor piercing, and hence more dangerous, after having classified it not so, for decades.

That document addresses issues beyond the delegated powers of government, is outside the government’s legitimate authority to regulate, where it has no legal ability to legislate, regulate or make policy, and is therefore technically null and void.

If needed, Koshier policy in this field would be: “Penetrating the body armor of a person, using anything, with intent to do harm without justification, is a crime.”

Regulating ammunition as BATFE proposes violates the Second Amendment. The Constitution allows no infringement in this regard. Congress has no authority in this field, and cannot delegate any power in this respect to any of its agencies. BATFE, by issuing this dictum is behaving as a rogue agency, its staff needs to be severely disciplined and, as we have called for in the past, disbanded, to prevent any more in a long line of usurpations, abuses and illegal activities.