

Senate Concurrent Resolution No. 1605

By Committee on Federal and State Affairs

2-3

1 A CONCURRENT RESOLUTION urging President Donald J. Trump to
2 grant a full pardon to Shane Cox and Jeremy Kettler, who, as a result
3 of severe federal overreach, were unjustly convicted for
4 manufacturing and purchasing firearms, and urging the Kansas
5 Attorney General to join in their defense in federal court.

6 WHEREAS, Mr. Shane Cox, a resident of Kansas, was manufacturing
7 firearms and firearm accessories in the State of Kansas, in accordance
8 with the Kansas Second Amendment Protection Act. Mr. Cox
9 subsequently sold a silencer that was manufactured in Kansas to Mr.
10 Jeremy Kettler, also a Kansas resident. They were both subsequently
11 indicted by a federal grand jury on several counts for violating federal
12 laws. On November 14, 2016, Mr. Cox, a Kansas small business owner,
13 was convicted on eight counts for illegally making and marketing
14 firearms, and Mr. Kettler, an Iraq and Afghanistan war veteran, was
15 convicted on one count for purchasing a silencer; and

16 WHEREAS, Under the Second Amendment Protection Act, passed
17 into law in 2013, all firearms, firearm accessories, including silencers,
18 and ammunition manufactured within the borders of Kansas, are beyond
19 the long fingers of the federal bureaucracy; and

20 WHEREAS, The Tenth Amendment of the United States Constitution
21 guarantees all power that has not been given to the federal government
22 shall be vested in the states and their citizens; and

23 WHEREAS, Under the Second Amendment Protection Act, passed
24 into law in 2013, these firearms and firearm accessories were
25 manufactured completely within the borders of Kansas, thereby negating
26 any claim the federal government has to regulate these items under the
27 Commerce Clause; and

28 WHEREAS, The Ninth Amendment of the Constitution establishes
29 that not all the rights an individual possesses are enumerated in the
30 Constitution and guarantees those rights to the people and reserves
31 certain rights to the citizens of Kansas; and

32 WHEREAS, The Second Amendment of the Constitution reserves to
33 the people, individually, the right to keep and to bear arms; and

34 WHEREAS, The Constitution of the State of Kansas secures to the
35 people of Kansas the unfettered right to keep and bear arms, and prohibits
36 government obstruction of these rights; and

1 WHEREAS, The use of Congress' taxing authority to infringe on the
2 constitutionally protected Second Amendment rights of Kansans and all
3 other Americans is an abuse of those powers granted to Congress and
4 undermines those rights specifically guaranteed to the people; and

5 WHEREAS, The federal bureaucracy, in initiating such a flagrant
6 abuse of the peoples rights, have demonstrated once again their proclivity
7 for expansive, debilitating and inconsistent application of their laws; and

8 WHEREAS, The federal bureaucracy has failed to uphold their
9 responsibility of enforcing federal marijuana laws in states that have
10 passed initiatives legalizing recreational use of the drug, in direct conflict
11 with federal statutes, but will enforce laws relating to firearms, a
12 Constitutional right, thereby demonstrating their political bias with
13 which they enforce their laws: Now, therefore,

14 *Be it resolved by the Senate of the State of Kansas, the House of*
15 *Representatives concurring therein:* That we urge President Donald J.
16 Trump to grant a full pardon to Shane Cox and Jeremy Kettler, who, as a
17 result of severe federal overreach, were unjustly convicted for
18 manufacturing and purchasing firearms; and

19 *Be it further resolved:* That the Attorney General of Kansas is
20 encouraged to join in the defense of Kansas residents in federal court
21 when they are charged with failure to pay federal taxes and obtaining
22 federal permits to exercise rights guaranteed by the Constitution of the
23 United States; and

24 *Be it further resolved:* That the Secretary of State provide an enrolled
25 copy of this resolution to the President of the United States of America,
26 the United States Attorney General, the Kansas Attorney General, the
27 Governor of the State of Kansas and the Kansas Congressional
28 Delegation.