

AMENDMENT NO. _____ Calendar No. _____

Purpose: To protect the second amendment rights of individuals to carry firearms in units of the National Park System and the National Wildlife Refuge System.

IN THE SENATE OF THE UNITED STATES—110th Cong., 2d Sess.

S. 2483

To authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. COBURN

Viz:

1 At the end, add the following:

2 **TITLE IX—MISCELLANEOUS**

3 **SEC. 901. USE OF FIREARMS IN UNITS OF THE NATIONAL**
4 **PARK SYSTEM AND THE NATIONAL WILDLIFE**
5 **REFUGE SYSTEM.**

6 (a) FINDINGS.—Congress finds that—

7 (1) the second amendment to the Constitution
8 provides that “the right of the people to keep and
9 bear Arms, shall not be infringed”;

1 (2) section 2.4(a)(1) of title 36, Code of Fed-
2 eral Regulations, provides that “except as otherwise
3 provided in this section and parts 7 (special regula-
4 tions) and 13 (Alaska regulations), the following are
5 prohibited: (i) Possessing a weapon, trap or net (ii)
6 Carrying a weapon, trap or net (iii) Using a weapon,
7 trap or net”;

8 (3) section 27.42 of title 50, Code of Federal
9 Regulations, provides that, except in special cir-
10 cumstances, citizens of the United States may not
11 “possess, use, or transport firearms on national
12 wildlife refuges” of the United States Fish and
13 Wildlife Service;

14 (4) the regulations described in paragraphs (2)
15 and (3) prevent individuals complying with Federal
16 and State laws from exercising the second amend-
17 ment rights of the individuals while at units of—

18 (A) the National Park System; and

19 (B) the National Wildlife Refuge System;

20 (5) the existence of different laws relating to
21 the transportation and possession of firearms at dif-
22 ferent units of the National Park System and the
23 National Wildlife Refuge System entraps law-abiding
24 gun owners while at units of the National Park Sys-
25 tem and the National Wildlife Refuge System; and

1 (6) the Federal laws should make it clear that
2 the second amendment rights of an individual at a
3 unit of the National Park System or the National
4 Wildlife Refuge System should not be infringed.

5 (b) PROTECTING THE RIGHT OF INDIVIDUALS TO
6 BEAR ARMS IN UNITS OF THE NATIONAL PARK SYSTEM
7 AND THE NATIONAL WILDLIFE REFUGE SYSTEM.—The
8 Secretary of the Interior shall not promulgate or enforce
9 any regulation that prohibits an individual from pos-
10 sessed a firearm in any unit of the National Park System
11 or the National Wildlife Refuge System if—

12 (1) the individual is not otherwise prohibited by
13 law from possessing the firearm; and

14 (2) the possession of the firearm is in compli-
15 ance with the law of the State in which the unit of
16 the National Park System or the National Wildlife
17 Refuge System is located.