

From: Dave ***** [dave@bighammer.net]
Sent: Monday, January 24, 2005 3:15 PM
To: 'ron_ivey@allen.Senate.Gov'
Subject: CFR 36 2.4 amendment

Attachments: NPS_r24.doc; Petition_for_Rulemaking.pdf

Mr. Ivey,

Thank you for returning my call. As I discussed with you on the phone, I had a meeting this morning with Deputy Assistant Director for Fish, Wildlife & Parks, Mr. Paul Hoffman, at the Department of the Interior. The topic of discussion was amending regulation 2.4 to loosen the weapons prohibition and make it conform to, and enforce state law.

Mr. David Jennings from Congressman Virgil Goode's office was also there. He indicated that Congressman Goode supports this change, and will try to get further support from the Congressional Second Amendment Caucus. The NRA-ILA was also represented and the indicated support for this change as well.

Essentially, the National Park Service bans weapons, traps and nets, unless they are in a state that prevents their use. This usurps a citizen's right to protect themselves, and the Second Amendment of the US Constitution's guarantee of the right to bear arms.

I delivered to Deputy Assistant Director Hoffman a Petition for Rule Making to Amend CFR 36 section 2.4 to accomplish the goal of restoring the right to bear arms in Parks, while respecting the Parks' duty to preserve their resources. I included documentation on Virginia loosening it's state parks weapons regulations, as well as the state of Michigan which loosened it's state wide weapons restrictions and adopted a 'shall issue' permitting system. There have been no ill effects, as has been the case in all the other states.

I included copies of the National Park Service's own "morning report" listings of incidents and some fact sheets from the NRA-ILA.

Attached are the 2 main documents

NPS_r24.doc details the problems faced, and proposed remedies.
Petition_for_Rulemaking.pdf is the official petition to NPS / DOI to do this.

We would like to see the Department of the Interior address this issue correctly, and with haste. With the Department of Justice's August, 2004 memorandum on the Second Amendment, and in light of court cases covering the limits and interpretation of CFR by agencies, the regulation as it stands now is clearly overreaching. The current Petition has over 1 million citizens represented, not including the NRA-ILA should they decide to back this as well, and groups are still joining.

Senator Allen wields substantial respect and his backing on this would be critical.

Aside from the legal, and Constitutional arguments, we think that the petition to amend regulation 2.4 just makes sense. The National Forests assimilate and enforce state law, and have seen no ill effects, and the Park Service won't either. A law abiding citizen shouldn't have to worry about crossing some

invisible political boundary and becoming a criminal because they're carrying a firearm for personal protection.

Please let me know if I can provide further information, assistance, etc...

Best regards,

Dave *****