

*Tom Coburn*  
S.P.C.

*Pending*

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To protect innocent Americans from violent crime in national parks and refuges.

IN THE SENATE OF THE UNITED STATES—111th Cong., 1st Sess.

**H. R. 627**

To ame **AMENDMENT N<sup>o</sup> 1068** and  
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Page(s)

GPO: 2008 45-603 (mac)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. COBURN

Viz:

- 1 At the appropriate place<sup>in the bill</sup>, insert the following:
- 2 **SEC. \_\_\_\_ . PROTECTING AMERICANS FROM VIOLENT CRIME.**
- 3 (a) CONGRESSIONAL FINDINGS.—Congress finds the
- 4 following:
- 5 (1) The Second Amendment to the Constitution
- 6 provides that “the right of the people to keep and
- 7 bear Arms, shall not be infringed”.
- 8 (2) Section 2.4(a)(1) of title 36, Code of Fed-
- 9 eral Regulations, provides that “except as otherwise

1 provided in this section and parts 7 (special regula-  
2 tions) and 13 (Alaska regulations), the following are  
3 prohibited: (i) Possessing a weapon, trap or net (ii)  
4 Carrying a weapon, trap or net (iii) Using a weapon,  
5 trap or net”.

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

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

16 (A) the National Park System; and

17 (B) the National Wildlife Refuge System.

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

1           (6) Although the Bush administration issued  
2 new regulations relating to the Second Amendment  
3 rights of law-abiding citizens in units of the Na-  
4 tional Park System and National Wildlife Refuge  
5 System that went into effect on January 9, 2009—

6           (A) on March 19, 2009, the United States  
7 District Court for the District of Columbia  
8 granted a preliminary injunction with respect to  
9 the implementation and enforcement of the new  
10 regulations; and

11           (B) the new regulations—

12           (i) are under review by the adminis-  
13 tration; and

14           (ii) may be altered.

15           (7) Congress needs to weigh in on the new reg-  
16 ulations to ensure that unelected bureaucrats and  
17 judges cannot again override the Second Amendment  
18 rights of law-abiding citizens on 83,600,000 acres of  
19 National Park System land and 90,790,000 acres of  
20 land under the jurisdiction of the United States Fish  
21 and Wildlife Service.

22           (8) The Federal laws should make it clear that  
23 the second amendment rights of an individual at a  
24 unit of the National Park System or the National  
25 Wildlife Refuge System should not be infringed.

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

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

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