

Calendar No. 573

110TH CONGRESS
2D SESSION**S. 2619**

To protect innocent Americans from violent crime in national parks.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 8 (legislative day, FEBRUARY 6), 2008

Mr. COBURN introduced the following bill; which was read the first time

FEBRUARY 11, 2008

Read the second time and placed on the calendar

A BILL

To protect innocent Americans from violent crime in national parks.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Americans
5 from Violent Crime Act of 2008”.

6 **SEC. 2. CONGRESSIONAL FINDINGS.**

7 Congress finds the following:

1 (1) The Second Amendment to the Constitution
2 provides that “the right of the people to keep and
3 bear Arms, shall not be infringed”;

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

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

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

21 (A) the National Park System; and

22 (B) the National Wildlife Refuge System;

23 (5) The existence of different laws relating to
24 the transportation and possession of firearms at dif-
25 ferent units of the National Park System and the

1 National Wildlife Refuge System entraps law-abiding
2 gun owners while at units of the National Park Sys-
3 tem and the National Wildlife Refuge System; and

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

8 **SEC. 3. PROTECTING THE RIGHT OF INDIVIDUALS TO BEAR**
9 **ARMS IN UNITS OF THE NATIONAL PARK SYS-**
10 **TEM AND THE NATIONAL WILDLIFE REFUGE**
11 **SYSTEM.**

12 The Secretary of the Interior shall not promulgate
13 or enforce any regulation that prohibits an individual from
14 possessing a firearm including an assembled or functional
15 firearm in any unit of the National Park System or the
16 National Wildlife Refuge System if—

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

19 (2) the possession of the firearm is in compli-
20 ance with the law of the State in which the unit of
21 the National Park System or the National Wildlife
22 Refuge System is located.

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