

The Honorable George Allen
204 Russell Senate Office Building
Washington, D.C. 20510-4604
May 31, 2005

Dear Senator Allen,

In August of 2004, I wrote you with concern for public safety on National Park Service property. As you know, the Park Service patrols the George Washington Parkway. Unfortunately, over the past Memorial Day weekend, there was a murder on the GW Parkway.

In response to last year's attack on the GW Parkway, which the Park Police could not be bothered to respond to, the Virginia Citizen's Defense League together with over 40 regional and national civil rights organizations petitioned the Department of the Interior to amend CFR Title 36, regulation 2.4 to allow law abiding citizens the right to defend themselves, which the National Park Service currently prevents.

On January 24th, I met with Deputy Assistant Secretary for Fish, Wildlife & Parks Paul Hoffman to discuss the changes proposed and discuss the plan to move forward. Also in attendance were representatives from Congressman Virgil Goode's office and the National Rifle Association. We left the meeting with the distinct impression and hope that the Department of the Interior would work with us for a solution to this problem. Deputy Assistant Secretary Hoffman later indicated that Mr. Jerry Case was evaluating this petition, however when one of petition supporters contacted him, he denied knowing of the petition. It has now been 4 months since the petition for rule making to amend CFR 36 regulation 2.4 has been received and the Department of the Interior and NPS have let yet another person die without a response.

We need legislation to completely remove the authority of the National Park Service to control weapons and self defense, and compel the NPS to honor the state law. This will preserve their needed ability to control resources, but once and for all restore the people's ability to protect themselves. The Petition for Rule making we submitted to DOI would have accomplished this.

I would like for you to contact the Department of the Interior and tell them to implement the common sense changes put forth by VCDL in the Petition for Rule Making to amend CFR 36 regulation 2.4, or have Congress implement the changes for them.

Below are links to the petition, news article and last year's letter.

I look forward to your support.

Best regards,
David *****

Here is the copy of the Petition for Rule making:
http://www.vcdl.org/new/Petition_for_Rulemaking.pdf

Here is the news article outlining the most recent murder on
NPS property:

<http://wtopnews.com/index.php?nid=25&sid=524972>

Here is the message I sent last year:

Recently, I was appalled to read of the abysmally slow response to a 911 call on the George Washington Parkway bike trail reported in the July 22nd Mount Vernon Gazette. A woman was accosted near Tulane Drive. She was able to escape the attacker and get another woman to call 911. It took over 30 minutes for a response, and eventually Fairfax County Police had to come. This event only underscores how unsafe our National Parks are and how at risk Park visitors can be.

The National Park Service maintains many historic sites and pristine parks. They are often located in remote areas, and sometimes encompassing vast acreage. They ban possession of loaded firearms under CFR 36, section 2.4. NPS claims that this ban is to "enhance public safety". Yet despite this claim, the NPS own statistics indicate that an average year will yield 10 murders, 132 rapes, 70 robberies, 3 kidnappings, 212 aggravated assaults, 488 burglaries, 3,277 larcenies, 130 vehicle thefts, and 104 arsons on National Park Service property.

This prohibition has failed to "enhance" public safety in any way, and it is long past time to repeal it.

It is time repeal the National Park Service ban on firearms, and amend the CFR 36, section 2.4 to follow and enforce state law with respect to firearms. Additionally, amend the CFR so that the NPS recognizes, and honors concealed weapons/handgun permits and licenses from ANY State or locality in the United States.

As you know, President Bush and Attorney General Ashcroft have unequivocally stated that the 2nd Amendment to the US Constitution "Protects the individual Right to keep and bear arms". There can be no question that the National Park Service prohibition on loaded firearms under CFR 36, section 2.4 certainly infringes not only the constitutionally protected right to 'bear arms', but also the right to effectively defend oneself. The NPS ban is inconsistent with court rulings which 'regulate the manner of exercise' of any right enumerated in the Bill of Rights, it completely prohibits a law abiding citizen from the exercise of their Constitutionally protected right.

Repealing the NPS ban on firearms would in no way inhibit the NPS from protecting valuable resources! Hunting rules and regulations would NOT be affected by the NPS simply following State law with regard to firearms. US Park Police and Park Rangers are already authorized by law to enforce state law.

In this era of heightened security awareness, tight budgets and stretched resources, Park visitors cannot expect law enforcement to be readily available on a moments notice.

Since the late 80's, states have enacted 'shall issue' laws with respect to issuing licenses and permits to carry firearms and the results have shown what many have said all along: Gun owners are law abiding citizens. Holders of these licenses & permits have shown to be the most law abiding of citizens. These citizens are screened by fingerprinting, criminal background investigations and subject to rigorous requirements to exercise this freedom and not one state enacting legislation which permits law abiding citizens to carry firearms has ever seen any related increase in crime. It is time for the National Parks to admit their mistakes, and recognize law abiding citizens' right to defend themselves from danger.

These National Parks ARE dangerous, and their law enforcement officers recognize this: read this-

<http://www.rangerfop.com/danger03.htm>

<http://www.rangerfop.com/Members/News/archives/ig.pdf>

It has been a centerpiece of President Bush's leadership that he "trusts the American people, and not the Government". I urge you in the strongest possible terms to insist that the CFR prohibiting loaded firearms in National Parks be overturned at the earliest possibility, and replaced with regulations honoring licenses & permits to carry firearms issued by any state - a regulation that makes sense.