



National Parks Conservation Association®  
*Protecting Our National Parks for Future Generations®*

January 16, 2008

Thomas C. Kiernan  
*President*

Honorable Dirk Kempthorne  
Secretary of the Interior  
U. S. Department of the Interior  
1849 C Street, N. W.  
Washington, D.C. 20240

Dear Mr. Secretary:

A letter sent to you in December signed by a number of U.S. Senators asking for a change in certain Reagan era regulations concerning firearms in the national parks and wildlife refuges has engendered some attention in the press, as issues relating to firearms often do. Accordingly, on behalf of the 340,000 members of the National Parks Conservation Association (NPCA) we are compelled to comment for the record, at least insofar as the national parks are concerned.

In short, we are very strongly opposed to changing the regulations in question.

At the outset we should make clear NPCA is not opposed to firearms or the right of Americans to own them, carry them, and use them responsibly. Many of our staff and members are avid sportsmen and hunters. The regulations in question were promulgated with due procedural consideration during the Reagan Administration. During an extended 120-day comment period on the proposed regulations in 1982, the National Park Service received 1,966 timely written comments and 17 petitions with 1,163 signatures. The proposed regulations were modified to take public comments into consideration. The final regulations represent a reasonable balance regarding the presence of firearms within national park boundaries that enables the Park Service to fulfill its primary mandate set out in the 1916 Organic Act: "To promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purposes of said parks, monuments and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." (16 U.S. C. 1)

On its face, the Senators' letter misinterprets or ignores the precise requirements of the regulation. In fact, the regulation does not "prohibit" individuals from possessing a firearm on park lands as the Senators allege in

their letter. Rather, the salient language provides that, "Unloaded weapons, traps and nets MAY BE POSSESSED: (i) within a residential dwelling. (ii) within a temporary lodging or mechanical mode of conveyance when such implements are rendered inoperable or packed, cased or stored in a manner that will prevent their ready use." [36 CFR 2.4 (a)(2)] The regulation goes on to list several circumstances wherein a park superintendent may issue a permit to possess or carry a weapon. Clearly the existing regulation does not prohibit people from transporting and carrying firearms in national parks, but rather sets out reasonable, limited requirements to ensure the safety of the public and their ability to enjoy park visits, and the protection of park resources, including wildlife.

Furthermore, the argument that policies with respect to all federal lands should be consistent simply does not hold up. All lands owned and managed by the federal government are not the same. Firearm rules that make sense for multiple-use BLM land in the West are certainly not appropriate for the White House, Independence Hall, the Statue of Liberty, the National Mall or in the valley of Yosemite. National parks are by definition intended to be special places whose management guidelines are set out in specific federal laws and regulations. There are, of course, many park units where hunting is specifically authorized and permitted and different firearms rules appropriately apply in those units. Visitors there are forewarned of the potential hazard. Unloading and putting away guns by those who elect to enter a national park where hunting is not permitted is really no more onerous a limitation on the rights of law-abiding citizens than requiring those who wish to enter a federal building to be searched or to pass through a metal detector, nor is it as restrictive. During these turbulent times of heightened security concern, many iconic national park units are at risk. Creating unwarranted new complexities in protecting these special places so important to our history and shared American experience and their visitors is simply unreasonable and ill - advised.

Changing the long-standing regulation as the Senators propose would seriously and needlessly complicate the Park Service's duty to protect park wildlife from poaching. Such a change would further strain park rangers and managers whose operations are already underfunded and short-staffed. Nothing has occurred to warrant re-opening the Reagan Administration's regulations in order to make it easier to carry a loaded weapon inside a park. It makes no sense to mount the costly and time-consuming procedure legally demanded by such a proposed rule change merely as a test of political will when the existing regulation is reasonable and any perceived inconvenience it creates is minimal. There is simply no legitimate or substantive reason for a thoughtful sportsman to carry a loaded gun in a national park unless that park permits hunting. Mr. Secretary, we strongly urge you to leave the Reagan Administration's regulation in place.

Sincerely,



Thomas C. Kiernan, President  
National Parks Conservation Association

CC: Deputy Secretary, Lynn Scarlett  
National Park Service Director, Mary Bomar