

1201051ettertoRepDavis

From: "Dave Yates" <Dave@bi ghammer.net>
To: <Chris.Lopez@mail.house.gov>
Subject: NPS petition to amend CFR36, Regulation 2.4
Date: Wednesday, November 30, 2005 2:44 PM

Greetings Mr. Lopez,

As we discussed on the phone earlier today, I am a co-petitioner to revise the National Park Service regulations prohibiting defensive use, carry & possession of firearms. The amended rule would be modified like this:

This 'paragraph' is incorporated into the existing rule -
"Except for self-defense, or defense of another, pursuant to the law of the state in which the park is located, the use of a weapon, trap or net in a manner that endangers persons or property is prohibited."

The amended regulation is then closed with:
"Notwithstanding any provision of this section, the possession or carrying of a firearm in compliance with Title 18, U.S. Code, Sec. 922(g), and the law of the state in which the park is located shall not violate this section."

That's it. Nothing more. No hunting, no target shooting, no recreational shooting, ONLY lawful defensive possession basically.

Here is a copy of the full petition:
http://www.vcdl.org/new/Petition_for_Rulemaking.pdf

As we discussed on the phone, the Department of the Interior Deputy Assistant Secretary for Fish, Wildlife & Parks, Paul Hoffman met with me, 2 NRA-ILA representatives and a Legislative Assistant to Congressman Virgil Goode in January. February 11, 2005, DOI received and accepted the Petition, assigning it to Mr. Jerry Case. From March, through present day, we have seen no progress. Multiple inquiries have gone either unanswered, or have been responded to with form letters.

I maintain reference pages in the furtherance of this petition, here is a fairly comprehensive timeline of events:

<http://www.bi ghammer.net/pages/24/index.htm>

Additionally, I have logged quite a few articles and reports relating to National Parks here: <http://www.bi ghammer.net/pages/25/index.htm>

Some of the more compelling pieces:

The Parks response to Congressional inquiries has included reference to providing reasonable regulatory relief. This is untrue, as the link to the Moffat County Sheriff's Department dealings with the Park Service shows.

Parks "borders" are unposted, unsigned and you may inadvertently end up with a federal misdemeanor without ever intending to break the law.

Legal doctrine has changed since the adoption of the Parks rule, scholars, courts, the Department of Justice, and Congress are now uniformly of the belief that the Bill of Rights secure individual rights, including the Second Amendment, and Regulation 2.4 is in diametric opposition to this.

The VCDL Petition respects the rights of the people, and the states, respectively to make the determination rather than some difficult to deal with federal monolith.

We definitely need Congressman Davis's help. This is not unlike many issues that deal with the governance of Washington, DC, which Congressman Davis is heavily

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involved with. The Petitioners supporting the VCDL Petition deserve their "up or down vote" and the National Park Service should not be trampling upon the fundamental rights of the people.

Discussions among the co-petitioners has moved us to the belief that we will need to resolve this legislatively, considering it has been 10 months and we still have nothing to show for this. Crime doesn't magically stop at the Parks border. There was a murder on the GW Parkway back in May.

We think the Department of the Interior, and National Park Service has had more than ample time to "review" these changes thoroughly.

First, the petition needs to have it's comment period in the next federal register, no more excuses. Since DOI has been less than cooperative with both the Petitioners, and Congress, we need to get the regulation changes from the petition implemented by legislation. You can see from the timeline we've made every good faith effort to work with the Parks on this, but they clearly have no interest.

Please have a look at the material as time permits. I just received word that another Utah Congressman has written Secretary Norton. I will follow up shortly to touch base.

Thanks for your assistance!

Best regards,

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