

December 23, 2005

The Honorable Joel Hefley
United States House of Representatives
5th District of Colorado
2372 Rayburn House Office Building
Washington, D.C. 20515

Sent Via Fax: 202-225-1942

Dear Congressman Hefley:

I was a friend of your former aide Jeff Crank when he lived here in Virginia and worked for you on Capitol Hill. We used to watch Bronco Games together and in fact I watched a game with you one day at Damon's at Manchester Lake's.

I am the founder of Virginia1774.org, the legal research and information site on the history of the right to a well regulated militia and the right to keep and bear arms in Virginia. There is now a nationwide effort with House and Senate support to amend National Park Service regulation 36 CFR 2.4 concerning the possession of firearms on NPS lands. It is the intent to amend this regulation to closely mirror National Forest Service regulations and would allow state law to govern the possession and use of firearms on NPS land in the state where the park would reside. Currently Senator George Allen, Congressman Virgil Goode and Tom Davis of Virginia, Congressman John Murtha of Pennsylvania and other members of Congress have sent letters to the Department of Interior requesting that a change in the regulation take place. Non governmental support has come from the National Rifle Association-ILA, and many other state firearm organizations across the country.

I and representatives of the NRA-ILA and David ***** met with Paul D. Hoffman, Deputy Assistant Secretary of the United States Department of the Interior, in January of this year. A formal petition was later filed by the Virginia Citizens Defense League to amend the regulation. The National Park service has yet to act upon the request for change.

The 230th anniversary of the Victory of the battle of Yorktown, Virginia will take place in 2006. As reported in the Washington Times August 7, 2005 edition, a proper re-enactment of the battle cannot take place on NPS land. "If the Battle of Yorktown were held today, it would have to be moved.

The National Park Service doesn't permit even mock battles on its land, so an organizer of a re-enactment for the 225th anniversary says the group has to look for another site...Mr. Lambert found it ironic that the battleground was open for a rally by members of an American Nazi party under the First Amendment less than two weeks ago but would not be available to re-enact the battle that led to the nation's independence from Britain.

"Without winning the war, we wouldn't have free speech," he said." In August of 2004, the Department of Justice released a

Document with the title, Whether the Second Amendment Secures and Individual Right, and the document states in the affirmative that the 2nd Amendment to the U.S. Constitution secures and individual right to keep and bear arms. In 2001, the United States Fifth Circuit Court of Appeals issued a ruling in United States v. Timothy Emerson, 270 F3d. 203 (2001) that the 2nd Amendment secures an individual right to keep and bear arms. It would therefore reason that any National Park under the jurisdiction of the U.S. Fifth circuit is probably in violation of this ruling by enforcing 36 CFR 2.4 as currently written.

I ask that you contact Interior Secretary Gale Norton, and Deputy Assistant Secretary Paul Hoffman and encourage them to amend National Park Service regulation 36 CFR 2.4 to allow firearm possession in accordance with state law in which the National Park resides. Your assistance will be of great help to support our rights and liberties.

With warm regards,

Rudolph DiGiacinto
Founder &c.
www.Virginia1774.org
e-mail: rdigiacinto@virginia1774.org

P.S. Go Broncos!!!