

of this section, be considered a Federal employee.

(3) For purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, a law enforcement officer of any State or political subdivision thereof shall, when acting as a special policeman under subsection (c) of this section be deemed a civil service employee of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, and the provisions of that subchapter shall apply.

(e) Federal investigative jurisdiction and State civil and criminal jurisdiction not preempted within National Park System

Nothing contained in this Act shall be construed or applied to limit or restrict the investigative jurisdiction of any Federal law enforcement agency other than the National Park Service, and nothing shall be construed or applied to affect any right of a State or a political subdivision thereof to exercise civil and criminal jurisdiction within the National Park System.

(Pub. L. 91-383, §10, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1941; amended Pub. L. 106-437, §2, Nov. 6, 2000, 114 Stat. 1920; Pub. L. 108-352, §11, Oct. 21, 2004, 118 Stat. 1397.)

REFERENCES IN TEXT

This Act, referred to in subsec. (e), is Pub. L. 91-383, Aug. 18, 1970, 84 Stat. 825, as amended, known as the "National Park System General Authorities Act". As originally enacted, Pub. L. 91-383 contained sections 1 to 4, the first 3 of which enacted sections 1a-1 and 1a-2 and amended sections 1b and 1c of this title. Pub. L. 94-458 amended Pub. L. 91-383 by adding sections 5 to 12, which enacted sections 1a-3 to 1a-7, amended sections 17j, 460n-5, 463, 470a, and 559, and repealed sections 10, 10a, 17b-1, and 415 of this title. Pub. L. 103-322 amended Pub. L. 91-383 by adding section 13, which enacted section 1a-7a of this title. For complete classification of this Act to the Code, see Short Title of 1970 Amendment note set out under section 1 of this title and Tables.

CODIFICATION

Section is comprised of section 10 of Pub. L. 91-383, as added. Subsec. (a) of section 10 of Pub. L. 91-383 amended sections 460n-5 and 559 of this title and repealed sections 10, 10a, and 415 of this title.

AMENDMENTS

2004—Subsec. (c). Pub. L. 108-352 made technical amendment to directory language of Pub. L. 106-437, §2. See 2000 Amendment note below.

2000—Subsec. (c). Pub. L. 106-437, §2, as amended by Pub. L. 108-352, struck out "and" at end of par. (2), added par. (3), redesignated former pars. (3) and (4) as (4) and (5), respectively, and in par. (5) substituted "The" for "(5) the" and aligned left margin with introductory provisions.

§ 1a-7. National Park System development program

(a) Omitted

(b) General management plans; preparation and revision by Director of National Park Service; list to Congress; contents

General management plans for the preservation and use of each unit of the National Park System, including areas within the national capital area, shall be prepared and revised in a

timely manner by the Director of the National Park Service. On January 1 of each year, the Secretary shall submit to the Congress a list indicating the current status of completion or revision of general management plans for each unit of the National Park System. General management plans for each unit shall include, but not be limited to:

(1) measures for the preservation of the area's resources;

(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;

(3) identification of and implementation commitments for visitor carrying capacities for all areas of the unit; and

(4) indications of potential modifications to the external boundaries of the unit, and the reasons therefor.

(Pub. L. 91-383, §12, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1942; amended Pub. L. 95-625, title VI, §604(3), (4), Nov. 10, 1978, 92 Stat. 3518, 3519; Pub. L. 103-437, §6(c), Nov. 2, 1994, 108 Stat. 4583; Pub. L. 105-391, title IV, §415(b)(2), Nov. 13, 1998, 112 Stat. 3515.)

CODIFICATION

Subsection (a), which required the Secretary of the Interior to transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a detailed program for the development of facilities, structures, or buildings for each unit of the National Park System consistent with the general management plans required in subsection (b) of this section, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 110 of House Document No. 103-7.

AMENDMENTS

1998—Subsec. (c). Pub. L. 105-391 struck out subsec. (c) which read as follows: "The Secretary of the Interior shall hereafter transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives all proposed awards of concession leases and contracts involving a gross annual business of \$100,000 or more, or of five years or more in duration (including renewals thereof), and all proposed rules and regulations relating thereto, sixty days before such awards are made or such rules and regulations are promulgated."

1994—Subsecs. (a), (c). Pub. L. 103-437 substituted "Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives" for "Committees on Interior and Insular Affairs".

1978—Subsec. (b). Pub. L. 95-625, §604(3), in revising text, substituted provisions for preservation and use of units of the National Park Service for prior provision for development of the units and for submission of an annual list to Congress on January 1 for prior provision for transmission of the plans to the Committees on Interior and Insular Affairs, provided for revision of the plans in a timely manner, inserted items (1) to (4) and struck out prior items covering (1) the facilities which the Director found necessary to accommodate the health, safety, and recreation needs of the visiting public, including provision of appropriate facilities under Act Oct. 9, 1965, 79 Stat. 969 [Pub. L. 89-249]; (2) the location and estimated cost of all the facilities; and (3)

the projected need for any additional facilities required for the unit.

Subsec. (c). Pub. L. 95-625, §604(4), substituted “or of five years or more” for “or exceeding five years”.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (b) of this section relating to submitting to Congress, on January 1 each year, a list indicating the current status of general management plans, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 110 of House Document No. 103-7.

§ 1a-7a. National Park System crime prevention assistance

(a) Availability of funds

There are authorized to be appropriated out of the Violent Crime Reduction Trust Fund, not to exceed \$10,000,000, for the Secretary of the Interior to take all necessary actions to seek to reduce the incidence of violent crime in the National Park System.

(b) Recommendations for improvement

The Secretary shall direct the chief official responsible for law enforcement within the National Park Service to—

- (1) compile a list of areas within the National Park System with the highest rates of violent crime;
- (2) make recommendations concerning capital improvements, and other measures, needed within the National Park System to reduce the rates of violent crime, including the rate of sexual assault; and
- (3) publish the information required by paragraphs (1) and (2) in the Federal Register.

(c) Distribution of funds

Based on the recommendations and list issued pursuant to subsection (b) of this section, the Secretary shall distribute the funds authorized by subsection (a) of this section throughout the National Park System. Priority shall be given to those areas with the highest rates of sexual assault.

(d) Use of funds

Funds provided under this section may be used—

- (1) to increase lighting within or adjacent to National Park System units;
- (2) to provide emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to National Park System units;
- (3) to increase security or law enforcement personnel within or adjacent to National Park System units; or
- (4) for any other project intended to increase the security and safety of National Park System units.

(Pub. L. 91-383, §13, as added Pub. L. 103-322, title IV, §40132, Sept. 13, 1994, 108 Stat. 1917.)

§ 1a-7b. Protecting Americans from violent crime

(a) Congressional findings

Congress finds the following:

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

(2) Section 2.4(a)(1) of title 36, Code of Federal Regulations, provides that “except as otherwise provided in this section and parts 7 (special regulations) and 13 (Alaska regulations), the following are prohibited: (i) Possessing a weapon, trap or net (ii) Carrying a weapon, trap or net (iii) Using a weapon, trap or net”.

(3) Section 27.42 of title 50, Code of Federal Regulations, provides that, except in special circumstances, citizens of the United States may not “possess, use, or transport firearms on national wildlife refuges” of the United States Fish and Wildlife Service.

(4) The regulations described in paragraphs (2) and (3) prevent individuals complying with Federal and State laws from exercising the second amendment rights of the individuals while at units of—

- (A) the National Park System; and
- (B) the National Wildlife Refuge System.

(5) The existence of different laws relating to the transportation and possession of firearms at different units of the National Park System and the National Wildlife Refuge System entrapped law-abiding gun owners while at units of the National Park System and the National Wildlife Refuge System.

(6) Although the Bush administration issued new regulations relating to the Second Amendment rights of law-abiding citizens in units of the National Park System and National Wildlife Refuge System that went into effect on January 9, 2009—

- (A) on March 19, 2009, the United States District Court for the District of Columbia granted a preliminary injunction with respect to the implementation and enforcement of the new regulations; and
- (B) the new regulations—
 - (i) are under review by the administration; and
 - (ii) may be altered.

(7) Congress needs to weigh in on the new regulations to ensure that unelected bureaucrats and judges cannot again override the Second Amendment rights of law-abiding citizens on 83,600,000 acres of National Park System land and 90,790,000 acres of land under the jurisdiction of the United States Fish and Wildlife Service.

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

(b) Protecting the right of individuals to bear arms in units of the National Park System and the National Wildlife Refuge System

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

- (1) the individual is not otherwise prohibited by law from possessing the firearm; and
- (2) the possession of the firearm is in compliance with the law of the State in which the