

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

unit of the National Park System or the National Wildlife Refuge System is located.

(Pub. L. 111-24, title V, §512, May 22, 2009, 123 Stat. 1764.)

EFFECTIVE DATE

Section effective nine months after May 22, 2009, except as otherwise specifically provided, see section 3 of Pub. L. 111-24, set out as an Effective Date of 2009 Amendment note under section 1602 of Title 15, Commerce and Trade.

§ 1a-8. Maintenance management system

(a) Implementation and elements

Beginning in fiscal year 1985, the National Park Service shall implement a maintenance management system into the maintenance and operations programs of the National Park System. For purposes of this section the term “maintenance management system” means a system that contains but is not limited to the following elements:

(1) a work load inventory of assets including detailed information that quantifies for all assets (including but not limited to buildings, roads, utility systems, and grounds that must be maintained) the characteristics affecting the type of maintenance work performed;

(2) a set of maintenance tasks that describe the maintenance work in each unit of the National Park System;

(3) a description of work standards including frequency of maintenance, measurable quality standard to which assets should be maintained, methods for accomplishing work, required labor, equipment and material resources, and expected worker production for each maintenance task;

(4) a work program and performance budget which develops an annual work plan identifying maintenance needs and financial resources to be devoted to each maintenance task;

(5) a work schedule which identifies and prioritizes tasks to be done in a specific time period and specifies required labor resources;

(6) work orders specifying job authorizations and a record of work accomplished which can be used to record actual labor and material costs; and

(7) reports and special analyses which compare planned versus actual accomplishments and costs and can be used to evaluate maintenance operations.

(b) Repealed. Pub. L. 104-333, div. I, title VIII, §814(d)(1)(F), Nov. 12, 1996, 110 Stat. 4196

(Pub. L. 98-540, §4, Oct. 24, 1984, 98 Stat. 2719; Pub. L. 103-437, §6(d)(1), Nov. 2, 1994, 108 Stat. 4583; Pub. L. 104-333, div. I, title VIII, §814(d)(1)(F), Nov. 12, 1996, 110 Stat. 4196.)

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-333 struck out subsec. (b) which read as follows:

“The National Park Service shall transmit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, at the end of each fiscal year, a copy of a report summarizing the status of implementation of a maintenance management system until such a system has been implemented.

“The report shall incorporate the following information:

“(1) the number of units in the National Park System that have implemented a maintenance management system during the period;

“(2) contract costs versus management efficiencies achieved;

“(3) the total amount of dollars spent on contracts for services; and

“(4) estimation of the total value of benefits achieved through greater management efficiency.”

1994—Subsec. (b). Pub. L. 103-437 in introductory provisions substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

§ 1a-9. Periodic review of National Park System

The Secretary of the Interior (hereafter in sections 1a-9 to 1a-13 of this title referred to as the “Secretary”) is authorized and directed to conduct a systematic and comprehensive review of certain aspects of the National Park System and to submit on a periodic basis but not later than every 3 years a report to the Committee on Natural Resources and the Committee on Appropriations of the United States House of Representatives and the Committee on Energy and Natural Resources and the Committee on Appropriations of the United States Senate on the findings of such review, together with such recommendations as the Secretary determines necessary. The first report shall be submitted no later than 3 years after November 28, 1990.

(Pub. L. 101-628, title XII, §1213, Nov. 28, 1990, 104 Stat. 4507; Pub. L. 103-437, §6(d)(2), Nov. 2, 1994, 108 Stat. 4583.)

REFERENCES IN TEXT

Sections 1a-9 to 1a-13 of this title, referred to in text, was in the original “this title”, meaning title XII of Pub. L. 101-628, Nov. 28, 1990, 104 Stat. 4503, which enacted sections 1a-9 to 1a-13 of this title, amended section 463 of this title, and enacted provisions set out as a note under section 1a-5 of this title. For complete classification of title XII to the Code, see Tables.

AMENDMENTS

1994—Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

§ 1a-10. Consultation with affected agencies and organizations

In conducting and preparing the report referred to in section 1a-9 of this title, the Secretary shall consult with appropriate officials of affected Federal, State and local agencies, together with national, regional, and local organizations, including but not limited to holding such public hearings as the Secretary determines to be appropriate to provide a full opportunity for public comment.

(Pub. L. 101-628, title XII, §1214, Nov. 28, 1990, 104 Stat. 4508.)

REFERENCES IN TEXT

Section 1a-9 of this title, referred to in text, was in the original “section 1”, and was translated as reading “section 1213”, meaning section 1213 of Pub. L. 101-628, title XII, Nov. 28, 1990, 104 Stat. 4507, which enacted section 1a-9 relating to submission of reports, as the probable intent of Congress.

§ 1a-11. Contents of report

The report shall contain—