

National Park System crime prevention assistance. See section 102702 of Title 54, National Park Service and Related Programs.

§ 1a-7b. Protection of right of individuals to bear arms

(a) Congressional findings

Congress finds the following:

(1) The 2d amendment to the Constitution provides that “the right of the people to keep and bear Arms, shall not be infringed”.

(2) 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.

(3) The regulations described in paragraph (2) prevent individuals complying with Federal and State laws from exercising the 2d amendment rights of the individuals while at units of the National Wildlife Refuge System.

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

(5) Although the Bush administration issued new regulations relating to the 2d amendment rights of law-abiding citizens in units of the 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 Obama administration; and

(ii) may be altered.

(6) Congress needs to weigh in on the new regulations to ensure that unelected bureaucrats and judges cannot again override the 2d amendment rights of law-abiding citizens on 90,790,000 acres of land under the jurisdiction of the United States Fish and Wildlife Service.

(7) Federal laws should make it clear that the 2d amendment rights of an individual at a unit of the National Wildlife Refuge System should not be infringed.

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

The Secretary 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 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 Wildlife Refuge System is located.

(Pub. L. 111-24, title V, §512, May 22, 2009, 123 Stat. 1764; Pub. L. 113-287, §§4(d), 7, Dec. 19, 2014, 128 Stat. 3263, 3272.)

AMENDMENTS

2014—Pub. L. 113-287, §7, which directed repeal of this section insofar as it related to the National Park System, could not be executed because of the general amendment by Pub. L. 113-287, §4(d), which made section applicable only to the National Wildlife Refuge System. See below. For provisions related to the National Park System, see section 104906 of Title 54, National Park Service and Related Programs.

Pub. L. 113-287, §4(d), amended section generally. Prior to amendment, section related to the right of Americans to exercise their Second Amendment rights in the National Park System and the National Wildlife Refuge System.

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. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, 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, related to maintenance management system for the National Park System. Subsec. (a) was repealed and restated in section 101301 of Title 54, National Park Service and Related Programs. Subsec. (b), which required annual status reports, had been previously repealed by Pub. L. 104-333.

§ 1a-9. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, 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, related to periodic review of National Park System. See section 100505(a) of Title 54, National Park Service and Related Programs.

§ 1a-10. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 101-628, title XII, §1214, Nov. 28, 1990, 104 Stat. 4508, related to consultation with affected agencies and organizations. See section 100505(b) of Title 54, National Park Service and Related Programs.

§ 1a-11. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 101-628, title XII, §1215, Nov. 28, 1990, 104 Stat. 4508, related to contents of the report on the periodic review of the National Park System. See section 100505(c) of Title 54, National Park Service and Related Programs.

§ 1a-12. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 101-628, title XII, §1216, Nov. 28, 1990, 104 Stat. 4508, related to evaluation of proposed boundary changes. See section 100506(a) of Title 54, National Park Service and Related Programs.

§ 1a-13. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 101-628, title XII, §1217, Nov. 28, 1990, 104 Stat. 4508, related to proposals for boundary changes. See section 100506(b) of Title 54, National Park Service and Related Programs.

§ 1a-14. Repealed. Pub. L. 113-287, §7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 102-525, title III, §301, Oct. 26, 1992, 106 Stat. 3441, related to National Park System advi-