

Op-Ed on Firearm Regulations
by Secretary of the Interior Dirk Kempthorne

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The Department of the Interior is charged with managing America's national parks and wildlife refuges in a manner that ensures their conservation and the safety of those who visit them. As Secretary of the Interior, I am committed to accomplishing this goal with careful regard to the rights and responsibilities federal laws provide and with the cooperation of states and Native American tribes.

America's government is firmly founded on the fundamental principle that states have the prerogative to develop their own policies and standards in many areas, and that the federal government should respect that right whenever possible. As Thomas Jefferson said during his first inaugural address, the States are "the most competent administrations for our domestic concerns"

While obviously the federal government has the power to regulate federal lands, the Department of the Interior and other agencies traditionally have managed these lands in cooperation with state governments, respecting state law when possible on issues such as hunting, fishing and wildlife management.

Our current federal regulations governing firearms in national parks and wildlife refuges properly limit poaching, target practice, and other illegal uses. I strongly endorse these important objectives. These provisions will continue to be enforced so that visitors and natural resources are fully protected.

These regulations were adopted in 1981 for national wildlife refuges and in 1983 for national parks. Since that time, many states have enacted new firearms policies. Currently 48 states have laws allowing for the lawful possession of concealed weapons. While these state authorities vary, all of them have mandatory minimum age and criminal background check requirements and the lion's share have permitting systems that include residency requirements, fingerprinting and firearm safety training as prerequisites to permitting possession of concealed firearms.

National Park Service and the U.S. Fish and Wildlife Service regulations are inconsistent with this development in state laws, a fact pointed out in a letter sent to me by 51 United States Senators, both Democrats and Republicans.

Today the Department of the Interior published a proposed regulation which will align with state laws that allow for concealed weapons permits, while continuing to maintain important regulatory provisions that ensure visitor safety and resource protection. The Department carefully worked with law enforcement professionals from the National Park Service and the U.S. Fish and Wildlife Service to craft this proposal.

We are submitting this proposal to Americans for their comments. We carefully will consider their comments before issuing a final rule.

Under the proposed rule, which narrowly amends existing provisions, citizens would be able to carry concealed weapons in national parks and refuges to the extent that they could lawfully do so on similar state-administered lands.

States where citizens have permits to carry concealed weapons in state parks, refuges and other similar state lands will be able to carry them in national parks and wildlife refuges. Some states, like California, issue concealed weapon permits but do not allow concealed weapons to be carried into state parks. Under this proposed rule, concealed weapons would not be permitted in national parks in those states.

Since the proposal maintains existing prohibitions on poaching and target shooting, and carrying weapons in federal buildings, the proposed rule would not cause a detrimental impact on visitor safety and resources. States issue concealed weapons permits in the belief that law-abiding citizens will not misuse this privilege.

The Bureau of Land Management, the U.S. Forest Service, and a number of state parks and refuges authorize the possession of concealed weapons consistent with the laws of the states in which they are located. The evidence does not suggest that visitors to these lands misuse their legally permitted weapons for poaching or illegal shooting, or that there is additional danger posed to the public from lawfully carried concealed weapons.

America's national parks and refuges are safe places to visit, and our law enforcement officials do a great job maintaining visitor safety. States have adopted laws which allow law-abiding citizens to apply for and receive a permit to carry concealed firearms. The Constitution guarantees citizens' rights to bear arms in the Second Amendment. The current federal regulations were issued more than 25 years ago and much has changed in how states administer their firearm laws. We should work toward managing federal lands in light of these new changes approved by the states.

We welcome the comments and views of the public on the proposal.