

CLEAR TEXT:
WASO Ranger Activities'
Electronic Newsletter

April 3, 1995

CLEAR TEXT is the bi-weekly electronic newsletter of the Ranger Activities Division in WASO. It is distributed via cc:Mail to all ranger training and operations centers (FLETC, HOAL, STMA, NIFC), regional office ranger divisions, park chief rangers, and other interested parties. Short submissions for the last three sections of the report - Field Notes; Park Exchange; and Vacancies, Register Openings and Details - are welcome and encouraged.

Next issue: May 1, 1995
Submission deadline: April 27, 1995

ENHANCED ANNUITY RETIREMENT - Bill Sanders, RAD/WASO

Ranger Activities was contacted by the Department of the Interior last week and asked to assist with a major new initiative to resolve ALL Departmental 6(c) past claims for CSRS employees. There are over 500 cases still pending in the Department, and the Department wants to conclude reviews by this June.

Ranger Activities will convene a small, hard-charging work group in the next few weeks to assist the Department with reviewing cases. With some luck, we may FINALLY have the end of this long trail in sight!

CISD TRAINING - Bob Marriott, RAD/WASO

A course entitled "Peer Counselor Training for Critical Incident Stress Management" will be held at the Residence Inn in Tucson, Arizona, between May 23rd and 26th. The course will provide an introduction to stress-related support services. If you're interested, apply directly through your regional training officer. Two final candidates will be selected per region and their names will be forwarded to the training officer in NARO. A final list will be provided to the Rick Obernesser, chief ranger at Cape Cod.

If you need more info, call Rick (508-349-3785 ext 213), me (202-208-4206), Sherrie Collins (602-638-7812), or Tarsha Edwards (202-208-4874).

REGULATIONS/JURISDICTION UPDATE - Dennis Burnett, RAD/WASO

On March 4th, President Clinton signed "**The President's Regulatory Reform Initiative**". The purpose of this initiative is to reduce unnecessary regulatory burdens and overlap, create regulations with clearly stated goals and objectives, and stimulate partnerships with the regulated parties. Specifically, the President is asking agencies for several things to be accomplished on a very tight time schedule:

* A status report on existing negotiated rulemakings conducted by each

agency.

* A list of rulemakings being considered for negotiated rulemaking. The administration is encouraging agencies to work with people in partnership to develop sensible regulations that impose the least burden without sacrificing rational and necessary protections.

* A list of meetings each agency has scheduled with those who are affected by agency regulations.

* A page-by-page review of ALL regulations each agency is charged with enforcing and determining to ascertain the following:

- o Is the regulation obsolete?
- o Could the intended goal be achieved in less intrusive ways?
- o Are there better private sector means to achieve the regulatory goal?
- o Could states or local governments do the job, making federal regulation unnecessary?

Proposed Regulatory Moratorium: The Senate is working on their version of the language for a moratorium. Indications are that it may not agree with the House version.

R.S. 2477: Work will begin within four weeks on this regulation by a joint task force consisting of representatives from the Solicitor's Office, NPS, BLM and FWS.

Climbing Regulations: Nothing has changed on the status of this regulation.

36 CFR Part 2: The final draft package is in Ranger Activities for internal review. Meetings have been scheduled with the Directorate for the first of April.

NCR T-Shirt Regulation: This final rule was signed by the Assistant Secretary on March 14th. The package is currently being reviewed by the Office of Management and Budget (OMB). The rule governs the sale of certain items related to First Amendment activities on park land within the National Capitol Region. After OMB review, they will be ready for printing in the Federal Register. The Solicitor's Office anticipates that once the regulation is printed in the Federal Register, a lawsuit will be filed in District Court against the National Park Service in an attempt to block this final rule. The regulation will not take effect until any litigation is resolved. Pending judicial review, this regulation will be the basis for the Servicewide rule found at 36 CFR 2.52.

Part 7 - Special Park Regulations: At least 14 special park regulations are in the Department at some level of the review process. Park specific regulations that were recently printed in the Federal Register include regulations for Oregon Caves National Monument, Pictured Rocks National Lakeshore and Grand Teton National Park.

Alaska Region Issues - Section 1307: The Assistant Secretary signed this proposed rule on March 18, 1995 and it will be printed in the Federal Register after review by the Office of Regulatory Affairs. This regulation implements Section 1307 of Public Law 96-487, the Alaska National Interest Lands Conservation Act (ANILCA). The rule is necessary to establish procedures for administering the statutory rights and preferences established by Section 1307 for certain persons to conduct revenue-producing visitor services in certain units of the NPS located in the State of Alaska.

Particularly, this rulemaking will provide guidance in the solicitation, award and renewal of Alaska visitor service authorizations.

Same-Day-Airborne: This final rule was signed by the Assistant Secretary on March 12, 1995 and will be printed in the Federal Register shortly. It will establish an NPS prohibition of hunting on the same day in which a hunter has flown in an aircraft and will clarify the existing NPS prohibition of using firearms and other weapons to take free ranging wildlife under a trapping license on lands under the jurisdiction of the NPS in the State of Alaska.

FLETC UPDATE - Paul Henry, FLETC

Please remember that students attending the 11LM Basic Program are required to have a valid, current CPR card with them when they arrive at FLETC. Seven rangers in the three basic classes that are currently at FLETC arrived here with no current CPR certification. In order to keep from having to send these rangers home, we have had to contract through FLETC to provide instructors in after hours sessions to meet this requirement. This is an expensive, non-programmed effort that we should not have to be conducting. FLETC has notified us that they can no longer conduct this after hours training to the NPS due to the existing heavy work load, and that students arriving here without current CPR certification WILL be sent home. Parks and regions should insure that ALL basic students nominated to attend the basic 11LM Program have a current CPR certification prior to arriving at the Center. Students also need to bring their NPS issued leather gear along with those uniform items specified in the FLETC student information package.

A note to regional training officers and regional law enforcement specialists: Please do not nominate term or temporary appointments and do not nominate those rangers who currently possess a Level I commission.

SPECIAL PARK USES - Dick Young, RAD/WASO at Colonial

Several NPS areas issue special use permits for hang-gliding under special regulations. Lately, however, people have been requesting such permits at parks that do not have a special reg to cover the activity. If you work in one of those areas and have found regulatory or statutory authorization other than in special regs, please contact me. Hang-gliding is defined in 36 CFR 1.4 (aircraft) and prohibited under 36 CFR 2.17(a)(1).

A special park use survey form went out in recent months to every superintendent in the National Park Service. Several interesting results have come from the survey, but the most prevalent response has been that many people are not taking advantage of the opportunity to recover their costs for special park uses. The item that appeared in last month's CLEAR TEXT is accordingly being reprinted here (below). Please share this with your AO or budget clerk and the person who does special park uses in your area! Several AOs have reported that they have not seen it:

"In the late 1980s, wording appeared in the administrative language of the Interior budget bill allowing the NPS to retain monies collected for special use permits covering unbudgeted costs. In the early 1990s, that language was amended to also cover budgeted costs. In 1994, the language was changed again to read as follows:

'Notwithstanding any other provision of law, the National Park Service may hereinafter recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time.'

"This language was codified at 16 USC 3a in 1994. There are three key phrases in that passage that you should keep in mind. The NPS 'may HEREINAFTER...recover ALL costs...to the appropriation current at that time.' What this means is that the wording is good until it is rescinded, and that it no longer has to be renewed each year. All costs, both budgeted and unbudgeted, may be recovered and retained in the account that spent them or in the two PWEs (PWE 456 and PWE 457) set up for special park uses. If you currently utilize this authority or plan on utilizing it, I strongly advise that you deposit the monies recovered into these established PWEs and let your timekeeper charge against them in order to maintain proper bookkeeping records. More will be coming out about this authority in the future.

"The term 'special use permit' as it appears in the law has broad application. We have a solicitor's opinion that states that most of the permits the NPS uses (rights-of-way, commercial filming, commercial use licenses, incidental business permits, etc.) may be considered special use permits for purposes of cost recovery."

If you have any questions about this law, what it means or how to use it, please call me at 804-898-7846, fax me a note at 804-898-6025, or send me a cc:Mail message (I'm on the system by name).

RECREATION FEE PROGRAM UPDATE - Tim Stone, RAD/WASO

Recent efforts have been focused on the proposed NPS fee legislation, which, along with concession reform, has been identified as the top priority of the NPS for this year. We have been busy developing an implementation plan that will outline proposed entrance fees, changes to the Golden passports, places where fees could be collected, impacts to commercial tour fees, and how the additional fee revenues would be returned to the Service. A broad cross section of superintendents recently met with the fee program staff and the Associate Director for Operations in Washington to provide input and direction for the implementation plan. The key element of the proposed fee legislation would give the Secretary of Interior broad authority to determine where fees would be collected and to set reasonable fees. All revenues generated by the fee legislation would be returned directly back to the Service. Stay tuned for developments.

The fee program has been relying on "hired help" to address new initiatives and develop elements of the fee legislation plan by bringing people to WASO on details. Kudos to Mary Wilson of Rocky Mountain NP, Bill Sturgeon of the Southeast Regional Office, Meg Leffel of Great Falls, Jim Reilly of the Rocky Mountain Regional Office, and Kurt Veeck of Lassen Volcanic NP. They got a great deal of work done. We hope to be able to rely on details in the future to provide field expertise for Servicewide fee issues.

A work group will convene in Washington during the week of April 10th to the 14th to begin an update/rewrite of NPS-22, with the goal of having completing the revision by next January. John Townsend of the Midwest Regional Office will act as the work group chair. Any constructive comments on NPS-22 should be directed to your regional fee program manager as soon as possible.

We have completed work on the GS-0303 4/5 visitor use assistant position descriptions. WASO management has signed off on the Pds and OF 8s. The positions are to be used for fee collection in the field as part of the position management activities associated with the implementation of Ranger

Careers. Information was sent out to all regional fee program managers on March 27th.

I was able to attend both the eastern and western fee program training sessions during March, and found that the persons involved in the Service recreation fee program are as dedicated, innovative, and diverse as any group within the NPS. I hope that the information and discussion that took place during the training sessions will be taken back to the parks and shared with park staffs. The Service and fee program are quickly evolving, and should be done with full input from the field. Many decisions are being made which will have significant impacts upon the fee collection program and on how the Service will be doing business. I hope to hear from many of you in the months ahead.

EMERGENCY SERVICES UPDATE - Jim Lee, RAD/WASO

The search and rescue and EMS stats for 1994 have been compiled.

In 1994, parks responded to 4,593 SAR incidents at a cost of about \$3 million. Comparable figures for 1991 were 4,496 incidents at a total cost of just over \$2 million.

There were 25,941 reported medical incidents last year, up from 22,680 in 1991. The cost of running the program systemwide last year was just over \$1 million.

FIELD NOTES

Yosemite

For the third straight year, Steve Stockdale, assistant subdistrict ranger/field training officer, has brought back a medal from the Police Olympics in Tucson, Arizona. Steve participated as an official NPS representative in the 12-mile cross-country mountain bike race against stiff competition from municipal bike patrol officers from various departments. Steve's time was a personal best and he won the silver medal. The Olympics are held each year in March in the Tucson area.

PARK EXCHANGE

Chickasaw

The park is looking to trade its 1984 International S-1800 structural fire truck. The truck has a Hale M-50-18 pump, 200 gallon tank capacity rated 500 GPM at 150 net PSI, 4x4 dual rear end, a 360 V8 engine with only 3,600 miles on it, plenty of four inch hose, two inch preconnect, booster line, water cannon and additional hose and nozzles. It is in very good condition, both inside and out; photos are available on request. They'd like to swap it for one of the following:

- * a one-and-a-half ton or larger flatbed truck in good condition, preferably with four-wheel-drive;
- * a 1,000 to 1,500 gallon tanker unit; or
- * a one ton, 250-300 gallon brush truck unit with pump and in-line foam unit, 4x4 and a Type 6 engine.

If you're interested, contact John Bandurski or Don Reed via cc:Mail at CHIC Travertine District or at 405-622-3161.

Delaware Water Gap

The park is looking for surplus traffic radar units in good working condition. Please call Dan Kirschner or Chuck Kanopsic at 717-588-9570 or send them a note via cc:Mail at DEWA South Zone.

Everglades

Bob Panko at Everglades is seeking information on deputizations of NPS rangers by the US Marshalls Service. He would like to contact any NPS folks who have been deputized or know the process of long term (up to one year) deputizations by the Marshalls Service - not short term deputizations such as those for special events or emergency incidents, as that process is pretty straightforward. Contact him by name on cc:Mail or at 305-242-7785.

RESOURCES

The Government Printing Office has a CD-ROM version of the US Code available, current to 1993. They will produce a 1994 version this year, but are not sure when it will be out. If you're interested, here's how to order the 1993 version. Ask for the 1993 edition, US Code, CD-ROM version, S/N 052-001-00389-6. The cost is \$36 per copy. The ordering address is GPO, Box 371954, Pittsburgh, PA 15250-7954. For additional info, contact GPO in Washington at 202-512-1800. [Phil Selleck, EVER]

A repeat entry for those of you who missed this notice last December: The Center for Wildlife Law published the State Wildlife Laws Handbook last fall. The handbook provides both summary information on the wildlife codes of each of the 50 states and policy analysis of wildlife management and protection laws. It also offers recommendations, sample statutes, and state-by-state comparisons of topics, including hunting and trapping laws, law enforcement, and habitat and endangered species protection. Copies of the book may be ordered for \$89 from Government Institutes, 4 Research Place, Suite 200, Rockville, MD 20850; tel: (301) 921-2355. [Gary Sullivan, MWRO]

Pacific Software International, Inc. is offering National Park Service areas their "The Training Officer" program at 70 percent off. The training officer max list price is \$2,395; they are offering it to us for \$695. This is good software; the Service purchased it to track new weapons. It can also track employee training, equipment, weapons qualification, etc. Their address and phone numbers are as follows: Pacific Software International, Inc., PO Box 13669, Salem, OR 97309; telephone: 503-585-7022; telefax: 503-585-9040.

VACANCIES, REGISTER OPENINGS AND DETAILS

No listings.

If you would like to get CLEAR TEXT but don't currently receive it, please advise Ranger Activities via a short cc:Mail message. Any office may receive it, including districts and subdistricts within a park. PLEASE pass it along to others in your division and park.

Prepared by WASO Division of Ranger Activities

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