

**CLEAR TEXT:**  
**WASO Ranger Activities'**  
**Electronic Newsletter**

**March 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: April 3, 1995  
Submission deadline: March 30, 1995

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RANGER ACTIVITIES OFFICE UPDATE

Chris Andress, currently regional chief ranger in Mid-Atlantic Region, has been selected as Jim Brady's replacement as chief of the Division of Ranger Activities in WASO. Pete Hart, the acting division chief, will be around for a few more weeks, then head back to Theodore Roosevelt in North Dakota, where he is superintendent.

**REGULATIONS/JURISDICTION UPDATE - Dennis Burnett, RAD/WASO**

**Proposed Regulatory Moratorium:** On January 9th, the Regulatory Transition Act of 1995 (H.R. 450) was introduced into the House of Representatives. This proposed bill would establish a moratorium period for any federal agency rulemaking action from November 9, 1994 through June 30, 1995. The moratorium would apply to all rulemakings required under any federal statute, regulation or court order. This means that any final regulation published since November 9, 1994 would be nullified until at least July 1, 1995.

The bill was approved by the House and sent to the Senate with very few changes. One notable change includes the effective dates which are now November 20, 1994 through December 31, 1995. As currently written, ALL aspects of the regulatory process will be covered, including advance notices, notices of rulemakings, and final rulemakings. Word is that the Senate is not happy with the bill as currently written and President Clinton has gone on record saying that he will veto it if it reaches his desk in its present form.

**36 CFR Part 2:** The final draft package is in Ranger Activities for internal review. From Ranger Activities, it goes to the Solicitors Office, then the NPS Directorate, the Assistant Secretary for Fish and Wildlife and Parks, and then the Department Office of Regulatory Affairs. We hope to have the document out for review in the Federal Register as a proposed rule some time this spring.

**43 CFR Part 7:** Protection of Archaeological Resources - Uniform Regulations, Final Rule, was published in the Federal Register on January 26th and became final on February 26th. This rule revises the uniform regulations that implement the Archaeological Resources Protection Act (ARPA) of 1979 to

incorporate recent amendments. Principally, these changes amend the description of prohibited acts to include attempts to excavate, remove, damage or otherwise alter or deface archaeological resources; address the lower threshold for felony violations of ARPA; include public awareness programs; contain provisions for archaeological surveys and schedules; stipulate a report to Congress by the Secretary of the Interior on federal archeology; and provide guidance to Federal land managers about the disposition of Native American human remains and other "cultural items" as defined by the Native American Graves Protection and Repatriation Act (NAGPRA).

**36 CFR Part 62:** This final rule revises the current regulations for the National Natural Landmarks (NNL) Program and is ready to go to the Federal Register but is being held by the Secretary's Office until further notice.

**Part 7 - Special Park Regulations:** At least twelve special park regulations are in the Department at some level of the review process.

**Alaska Region Issues - Section 1307:** The Assistant Secretary has agreed to move forward with proposed regulations to implement Section 1307 of Public Law 96-487, the Alaska National Interest Lands Conservation Act (ANILCA). This 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. This rulemaking will provide guidance in the solicitation, award and renewal of Alaska visitor service authorizations.

Same-Day-Airborne: This final rule is with the Assistant Secretary and should be released 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.

36 CFR Part 3: I still hope to put together a work group to update 36 CFR Part 3 regulations this year. It has been delayed somewhat, however, due to other pressing concerns in Washington. A request for field recommendations and comments will be forthcoming to all park areas once the work group is solidified.

CIRS UPDATE - Bob Reid, RAD/WASO at SERO

CIRS program training was given in the Midwest Region in February. Representatives from the regional office and five parks - Cuyahoga Valley, Jefferson, Indiana Dunes, Ozark and Sleeping Bear Dunes - attended and received the training and a copy of the software for their parks. Training was also conducted at Everglades for representatives from Everglades, Biscayne, Big Cypress, Canaveral and Virgin Islands. Training will be held in Southwest Region in March.

Field rangers in parks we've visited have displayed enthusiasm for the program. Park representatives who've been trained in CIRS are encouraged to develop plans for working with available resources and getting it up and running in their areas. Parks should have start-up dates following establishment of remote sites and formal training. Target dates are important so that parks can stay focused on building their data bases and getting complete information from their systems.

The CIRS program provides the 53 elements required by the FBI, but also provide parks with over 150 elements which can be used for park operations.

The CIRS program has in large part been developed to help the park reduce paperwork and to provide managers with a tool to support their protection efforts. We're trying to encourage everyone to look at the CIRS report as a complete report of all the necessary information and forms that comprise an incident.

A number of calls have come in regarding the training officer program. A copy of this program was purchased by RAD/WASO for possible use by regions to track training and equipment issuance for their parks. The program is menu-driven and has the following categories:

- \* Employee Menu
- \* Courses, Vendors, and Subcategories Menu
- \* Registration Management Menu
- \* Budget/Cost Center/Miscellaneous Action Menu
- \* Reports Menu
- \* Materials/Property/Supplies Menu
- \* Tickler File Menu
- \* System Maintenance Menu

Any park interested in using it should contact Pacific Software International at 503-585-7022. The NPS contact at the company is Bob Bailey, who says that his company will provide any NPS park a copy of the program at a big saving.

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

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).

## FIELD NOTES

No notes.

## PARK EXCHANGE

### **Gettysburg**

Gettysburg is looking into (and may be forced into) using a local agency's indoor firearms range for night qualifications. One of the indoor range requirements is that lead-free ammunition be utilized. The park has been unable to find a manufacturer that makes such rounds for NPS semi-automatics. If you can help, contact Brion Fitzgerald at GETT Interpretation.

## VACANCIES, REGISTER OPENINGS AND DETAILS

### **Shenandoah**

Shenandoah is recruiting through OPOP for the position of North District Leader, GS-13. This is a multi-series position: Supervisory Park Ranger (025), Supervisory Resource Management Specialist (401), Facility Manager (1640). As district leader, the incumbent is responsible for the full range of park operations including resource and visitor protection, interpretation, fee collection, resource management, maintenance and general administration. The incumbent also has responsibility for on-going relations with park neighbors, including local governments whose jurisdictions adjoin the district. In addition, the incumbent provides parkwide leadership and coordination for the fee program. The park collects approximately \$2.5 million annually in entrance and campground fees. The district is one of three operational areas in the park and consists of approximately 52,200 acres, including 25,100 acres of designated wilderness, 31 miles of the Skyline Drive, and 21 miles of the Appalachian Trail. The district annual operating budget is about \$1.5 million, with some 35 FTEs. The district leader position is an excellent opportunity for someone who has demonstrated the interest in and the potential for park management and who needs a "bridge" position to get there. These positions are ideal for someone who's not quite ready to fly without a safety net. Please call either Bill Wade or Vaughn Baker at 703-999-3400 for further information.

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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

Telephone: Branch of R&VP - 202-208-4874  
Branch of F&A (WASO) - 202-208-5572  
Telefax: Branch of R&VP - 202-208-6756  
Branch of F&A (WASO) - 202-208-5977  
cc:Mail: Branch of R&VP - WASO Ranger Activities  
Branch of F&A (WASO) - WASO Fire and Aviation  
SkyPager: Emergencies ONLY - 1-800-759-7243, PIN 2404843