

The Protection Ranger



The Newsletter of the U.S. Park Rangers Lodge, Fraternal Order of Police

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Show of Interest Vote Successful!

President's Report

by Tim Woosley

Collective Bargaining

I am proud to announce that our show of interest vote was a success! We received well over the 30% needed. On April 19th, I consulted with our law firm and submitted the petition for exclusive recognition. My thanks goes out to everyone who sent in a card and helped us with getting the word out. You have taken the first step in guaranteeing that Rangers receive the fair and equitable treatment they deserve.

Our lawyers estimate that it could take anywhere from 6 months to over a year before the United States Ranger Alliance is granted exclusive recognition. In the meantime we will be writing the constitution and by-laws and brainstorming ideas for the bargaining contract. We want to ensure that every member is happy with how the unit is organized and run. In order for this to happen, all of you need to participate. Please send me your ideas. We will also be redoubling our efforts in getting out information to everyone on what benefits there are to having a collective bargaining unit. We still hope to have initial dues for the bargaining unit around \$7 a pay period. We are also working out the logistics on how to incorporate FOP's legal defense program into the bargaining unit. This program, combined with a strong contract, would give members unprecedented protection.

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Seasonal Alert!!

I have been informed by Brother Dan Malone of legislation that, if passed, would have a great and positive impact on seasonals. The bill, H.R. 294, was introduced by Congressman Kanjorski D-PA. There are several co-sponsors as well. The legislation would amend title 5 U.S.C. to open up the door for seasonals to apply for status positions. **All seasonals need to take action!!** It is imperative that you contact your representatives and ask them to support and/or sign on as a co-sponsor of this important piece of legislation. If this thing dies we will have only ourselves to blame. We are also pursuing this problem from a different angle. Many of you may remember a few years ago that OPM granted the Park Service a temporary suspension of hiring restrictions for FirePros. We could pursue the same for seasonal L. E. There are pros and cons to each. See George Durkee's article elsewhere in this issue and contact him if you wish to help.

Federal Lodge Revitalization

The Executive Board, along with the Grand Lodge, agreed to help revitalize Lodge F-1 in Pennsylvania. This Lodge has an interesting history. It is the only Lodge formed under the Grand Lodge and not a state. It was specifically formed for those Federal Officers in states that would not allow them to join a local Lodge or form their own. Currently there are at least three Federal agencies represented: Rangers at Independence N.H.S., U.S. Mint Police, and Dept. of Defense Police. It is also interesting to note that these agencies are represented by the FOP for the purpose of collective bargaining. Several members of our Lodge have opted to join this Lodge and were elected to the executive board at a meeting

in Philadelphia. Charles Louke was elected President, George Kraft Vice President, Troy Williams Secretary, and Branden Trice Sergeant at Arms. I see great potential for this Lodge under this new leadership. I have offered President Louke room in the ProRan to assist in the revitalization. If anyone knows of any Federal Officer who would like more information on this Lodge please have them call the 800 number. The Lodge is open to any Federal Officer regardless of what state they are in. My congratulations and full support goes out to the new board.

Update on Presidio

My article in the last *Protection Ranger* about the Presidio has generated several comments from USPP Officers stationed there and at nearby Golden Gate N.R.A.. (see *Letters*) In fact the President of the local Lodge felt so strongly about it that he penned a letter to National President Gallegos. I have since written to this person to address his concerns. I stand by the information in my article. However, I want to clarify that I am not disparaging, in any way, the USPP Officers at GGNRA. They need to be aware, however, that as long as Park Police managers continue to make these kind of deals we will continue to bring them to light. The purpose of the *Protection Ranger* and our Lodge is to provide our members with information that may have a positive or an adverse effect on their career. We will continue to provide them with this information.

I was also contacted recently by the shop steward for the union at Golden Gate. He also took issue with my statement (see *Letters*) that his organization supported the Presidio Trust Bill. He assured me that this was not the case. He also brought up an important point that I would like to pass on to everyone who is currently in a park with

a bargaining unit. It is, in large part, up to you to ensure that the unit is addressing your concerns as a law enforcement officer. If it isn't, then you need to get personally involved in the process. No union can be blamed for not addressing your concerns if you fail to bring your concerns to their attention. On the other hand if you feel that, despite your participation, the union is failing to represent you, then there are ways to address that. Currently the Presidio Trust Bill is stalled in Congress. An amendment was submitted which clarified some points concerning transfers of employees but the sections pertaining to the U.S. Park Police were NOT omitted. I will continue to monitor this situation.

WASO Meeting

I want to take this opportunity to quell some rumors floating around out there. I spoke with a high ranking individual in WASO recently who told me that there are absolutely no plans to transfer any Ranger law enforcement responsibilities, at any park, to anyone. Furthermore, they stated that there would not be another situation similar to what happened at the Statue "during their watch". I hope this information will ease some of the tensions out there. We are very lucky to have the support in WASO that we do right now. However, as with everything in Government our current situation could change overnight. We cannot delude ourselves into thinking that we will always have the support we need. In order for us to be completely secure in our jobs and benefits we need a bargaining contract. With a strong contract in place we can focus on what is most important: Protecting ourselves and our Parks. Only then will we be able to stop expending time and energy worrying about whether we will have a job tomorrow.

Our Recent Board of Directors meeting in Harrisonburg, Virginia last month was a big success. We had several leaders from the Park Service and National FOP in attendance. The next issue of the *Protection Ranger* will have complete details. Thanks to all who attended and participated.

Finally, there are two important dates to remember. The Virginia biennial conference will be held August 6-10 in Lynchburg, VA. I hope to see quite a few members there. We will be electing a new state President this year. Please contact the Lodge before July 31st if you are interested in attending. The registration fee is \$70. Start planning now for the next National Conference to be held in Orlando, FL next year. This is a perfect

opportunity to see first hand what the F.O.P. is all about. If there is enough interest we can plan another executive board meeting for our Lodge at the same time. I will keep you updated on dates. Also be watching the National Journal for information.

Be safe!

Seasonal News

by George Durkee
Seasonal Representative

A Bill has been introduced in Congress that would allow seasonals to apply competitively for permanent NPS jobs. H.R. 294, introduced by Congressman Kanjorski in January 1995 proposes to amend Title 5, USC "to provide that an individual serving in a position in the competitive or excepted service, under an indefinite or temporary appointment, who performs at least 2 years of service in such a position within a 5 year period, and who passes a suitable noncompetitive examination, shall be granted competitive status for purposes of transfer or reassignment."

The Bill is currently in the Committee on Government Reform and Oversight. It has both Republican and Democrat co-sponsors, but needs more before it can overcome the normal entropy of legislators. The Lodge is contacting Congressional representatives to get support for this Bill, **but we need our members to write their own Representative** as well.

Write your Congressional Representative at:

Honorable (Member Name)
United States Congress
Washington, D.C. 20515

Those with Internet Web access can find the complete Congressional Directory and e-mail addresses at:

<http://www.house.gov/Whoswho.html>

Ask that s/he sign on as a co-sponsor of H.R. 294. Briefly outline your frustrations as a seasonal ranger in getting a permanent job and point out that the Bill does no more than allow employees who are already trained and qualified to do the job the chance to compete for that job. It costs the government nothing and saves training costs.

Term Appointments

We're also gearing up on this one. There are

two strategies. The first is to support the above legislation. The second is to push OPM to allow a window period where seasonals would be allowed to apply for permanent positions competitively. This was done for FirePros several years ago. We're checking into the mechanics of doing this again.

PD Rewrite

Finally, the status of the elusive Position Description rewrite for seasonals is essentially unchanged since our last article. I talked to Bill Sanders at WASO. He's still working away on it--wrestling with OPM and WASO trying to refine the PD and getting it accepted by all. His goal is still a GS 5, 6, 7, 9 series. One of the problems right now is that OPM regulations require more education and experience for the 6 level than a newly graduated LE seasonal would have, so he may have to have GS 5 as the entry level grade. Bill is planning to hammer out a (hopefully) final draft in May after talking with personnelists about what is possible vs. his goals. He still hopes to have a useable seasonal PD out to parks by this summer. Unfortunately, it would be up to the park whether or not to use it. Not only would money be a consideration, but a seasonal would have to reapply competitively for a higher grade...

Needless to say, the pace of Ranger Careers as it affects seasonals is more than a bit frustrating. Bill has been doing commendable work getting it together. I get the distinct impression, though, that overall support at WASO, Region and individual parks has declined precipitously after permanents were taken care of. **It is time to revitalize this process.** The Lodge will move more aggressively on this, but it is equally important that individual rangers write the Secretary, the Director and Deputy Director with our concerns about the stalled pace of Ranger Careers. In 1993, supporting the Ranger Careers process, Director Kennedy said: "Our first and foremost responsibility is to care for the employee: dealing honorably with [our] people." NPS Administrators moved decisively on Ranger Careers by rewriting position descriptions for permanent law enforcement rangers and then moved swiftly to reclassify the rangers in those positions. Although initially pressured by FOP-inspired newspaper articles--as well as other hard work by the Lodge, ANPR and individual rangers--ultimately, WASO was moved to act from an admirable sense of fairness for rangers. No less an effort must be made for seasonals.

So, write Secretary Babbitt, Director Kennedy and Deputy Director Reynolds (addresses below). Ask that they not abandon the seasonal workforce so critical to our parks; that their past support of Ranger Careers was vital and appreciated, but the process is not over until seasonals are included. Seasonals have been more than patient, recognizing the necessity of upgrading permanents first. As a matter of simple fairness, it's our turn now.

As you might expect, the objection to Ranger Careers at all levels (Parks, Region and WASO) is cost. No one, of course, objects to the competitive salaries that Wage Grade employees rightfully get, nor was there much objection when Superintendents were upgraded several years ago. Yet there continues to be an outcry over how much Ranger Careers is costing the Service. For both permanents and seasonals our argument for this process is unchanged: pay people a professional salary for a professional job.

I would hope, too, that permanent rangers join in this letter writing effort, supporting ALL of Ranger Careers as well as recognizing the long support seasonal FOP members have shown for efforts that don't immediately benefit them. When any law enforcement ranger gains from our collective efforts, we all benefit.

Addresses:

(Several years ago, Secretary Babbitt said he would personally read any letter addressed to him with CAMPFIRE on the envelope--showing that it came from an Interior employee. We believe this program is still in effect. Limit your letter to the Secretary to under one page.)

Mr. Bruce Babbitt **CAMPFIRE**
Secretary of the Interior
Department of the Interior
1849 C St. NW, MS 6218
Washington, DC 20240

National Park Service
Director Roger Kennedy (001) MS 3220
POB 7127
Washington DC 20013-7127

National Park Service
Deputy Director John Reynolds MS 3220
POB 7127
Washington, DC 20013-7127

Thanks!

6(c) Update

by Dan Kirschner
VP for External Lodge Affairs

The first section of this update addresses CSRS 6(c) claims. The second section addresses FERS 6(c) claims. The third section contains information applicable to both CSRS and FERS employees.

There seems to be some confusion about whether the Department of the Interior (DOI) will *accept*, *review*, and *approve* 6(c) past coverage claims from CSRS Rangers who missed all the original due dates. To clear up the confusion, this is what is meant by the words *accept*, *review*, and *approve*.

Accept means the process whereby the DOI determines the eligibility of the individual claim (application). To be eligible for **review**, the claim has to be filed in a timely manner, or the claimant has to provide a valid justification for submitting the claim after the stipulated due date. If you missed the 1988/1989 due dates for filing a 6(c) past coverage claim, and you don't have a valid reason(s) for filing late, then your claim can be returned and marked, "Not Timely Filed." Your only recourse at this point is to appeal this decision with the MSPB.

Thus, the first part of the 6(c) past coverage claim process is to establish eligibility (have your claim accepted) for entry into the 6(c) past coverage assessment "system". Thus, you must provide a justification for why your claim should be *accepted*, even after the due date has passed. It is imperative that any ranger who files a "late" claim must include a detailed explanation (justification) for why they missed the original due date.

So, when we say DOI is now in the process of *accepting* late filed individual CSRS 6(c) claims, we mean that DOI is evaluating your reason(s) for filing late so as to determine if your claim is eligible for entry into the 6(c) past coverage process. Please refer to the last issue of *The Protection Ranger* for a bunch of memory joggers. **And see the entry (other justifications) below if you still haven't applied as we are providing even more reasons for your claim to be accepted after the original due date!!!**

In the past 10 years OPM has taken several significant management actions and promulgated several regulations which effect 6(c) Program Management. One very

significant regulation stipulates that a person can file back for more than one-year if they met certain criteria--new evidence or information not available at the time of the due date or circumstance beyond the control of the employee prohibited the employee from filing a claim. Once your claim has been *accepted* it will then be *reviewed*.

Review means that the DOI has now accepted your claim and is now in the process of determining if you qualify for 6(c) past coverage based upon the actual duties you performed. The end result of this "review" process is that your claim will either be approved, denied, or returned (with a request that you provide more information to substantiate your claim).

Approve means that DOI has granted 6(c) past coverage for the time period claimed based on the performance of qualifying work.

Other justifications for allowing rangers to file "late" claims

In addition to the memory joggers listed in the last issue of *The Protection Ranger*, here is another piece of information which might prove useful in getting your claim accepted.

Promise not fulfilled: There exists a WASO memo dated July 20, 1994 (file code P4015(247), signed by the Chief, Branch of Labor and Employee Relations, sent to the Regional Personnel Officers with the subject title, "Law Enforcement Benchmark Position Descriptions Approvals (6(c)). In this memo, the sixth paragraph, sentences three and four read as follows: "If an employee assigned to a covered benchmark position description is performing the same duties as before the law enforcement reassignment, please include a memorandum to that effect along with the prior SF-50 and position description. We will work with the Department to have the old position covered."

Our interpretation of these sentences is that the NPS stated it would process 6(c) past coverage claims for the position each law enforcement ranger held on July 10, 1994. Thus, if you were converted to 6(c) on July 10, 1994 and the position you occupied was the only position you have ever held in the NPS, we think the NPS was saying the individual ranger wouldn't need to file a 6(c) past coverage claim because the NPS said it was going to obtain past coverage for the positions that were converted to 6(c) on July 10, 1994.

In support of the position that duties did not

change on July 10, 1994, we know of no ranger who had his/her performance standards changed on July 10, 1994 as a result of the implementation of the benchmark position descriptions. Thus, why didn't the Regions comply with WASO directive to submit a memo, SF- 50 and old position description so that WASO could work with DOI to have the old position description designated as 6(c) covered?

Administrative Law Judge Ruling: There also exists a Merit Systems Protection Board Administrative Law Judge 6(c) Decision involving an employee of the Treasury Department who filed a "late" 6(c) past coverage claim (application). This Decision, dated 02/07/96, was made by Judge Fishman and is listed as Docket Number BN-0831-96-0006-I-1.

In this case the Treasury Department contended that the claimant should be limited to the one year period prior to filing of his claim. Judge Fishman answered this contention with the following comments:

"Under OPM regulations, the agency has the discretion to extend the time limits for filing when, in its judgement, the individual shows that he was prevented by circumstances beyond his control from making a timely request. See 5 C.F.R. Section 831.906 (f) (1994). The appellant stated he was prevented from filing his application for LEO prior to October 14, 1994, because he was neither notified of nor was he aware of any deadlines imposed for the filing of such applications. The appellant indicated that he filed his application for LEO credit as soon as he became aware of the deadline for filing... The agency has not furnished any evidence to contradict the evidence provided by the appellant. I find that although the appellant's application for LEO credit was not filed within the time limits of 5 C.F.R. Section 831.906 (e) (1994), the appellant's request for LEO credit should not be limited to the one year prior to filing of his application, based upon his submission of uncontradicted documentary evidence which shows that he was not notified of the filing deadline and was not aware of it. The record shows that upon learning of the time limit for filing an application, he immediately did so. Thus, he has demonstrated circumstances beyond his control or good cause for his failure to file within the prescribed time limits... "

Did the NPS notify you of the original deadline? Did the NPS have you sign a document explaining the fact that 6(c) coverage entitles you to early retirement and

an enhanced annuity? When the Federal Law Enforcement Pay Reform Act was passed, did the NPS explain to you that 6(c) coverage would result in higher pay? Do we need to remind you that one former Regional Director (Howard Chapman) has testified (in a 6(c) past coverage case involving a NPS Ranger) that he was told not to tell employees about the 6(c) program?

The above Decision is not precedent setting, but we expect OPM will appeal the case because it will effect several employees. We think the Judge was correct in his assessment and so we end this portion of the 6(c) update with the usual recommendation: **if you have not yet filed a claim yet, do so immediately!**

FERS 6(c) Update

If you are a FERS employee and you haven't filed a claim yet, read the CSRS section above. For those of you who have filed, the NPS has completed their review of the FERS 6(c) past coverage claims. Determination letters are probably being prepared at the time of this newsletter, but remember that only two people are processing all of the letters! We estimate it will take at least one to two more months for DOI to advise individual rangers if their claim was approved, denied, or if DOI needs more information to evaluate the claim.

What to Do When You Receive Your Approval Letter

Once you get your approval letter, make two copies of the letter. Place the original letter in a safe deposit box as you will need it when you file your retirement papers. Take the first copy to your personnel office so they can start the process of filing for your back pay and calculating the extra ½ percent deduction. File the second copy in a safe place as a back-up to your safe deposit box. DOI is supposed to send a copy to your servicing personnel office for inclusion in your OPF, but with the reorganization and staff reductions, don't count on this happening--have a spare copy ready!

Don't worry about paying the extra ½ percent deduction because your back-pay will more than cover the extra ½ percent. In fact, if you were a GS-7 in 1992, 1993, and 1994, you have a substantial amount of backpay coming. GS-9's won't get as much, but it will more than enough to cover the extra ½ percent deduction.

Unfortunately, since the PAYPERS computer can only go back a few pay

periods to correct payroll problems, your back-pay claim will be processed by hand. This process takes many months and some employees have been waiting for over a year. The recent government shutdowns have contributed to the slow-down in processing these back-pay claims.

Do You Have the Answer?

Jeff Rader of GRTE is seeking information on stand-by programs. They don't want to re-invent the wheel and would like help/input from parks that already have one in place. They have all the administrative stuff worked out, but need to find out about the mechanics. Contact Jeff via CC:mail or call GRTE and ask for him by name. Also, please advise the Lodge of any assistance you afforded Jeff so we enter the information into our files. Thanks in advance.

D.A.R.E. In the National Parks

by Troy Mueller, DEWA

The Drug Abuse Resistance Education program was developed in Los Angeles California by professional educators and members of the Los Angeles Police Dept. The program material is written at the 5th and 6th grade level and is taught in school by Law Enforcement Officers. The current course has 17 lessons. Unlike other anti-drug programs that are about one hour in length and simply tell students not to use drugs, the D.A.R.E. program completely explains the effects of drugs on a young person's body and the impact on family and friends.

In the D.A.R.E. program, students learn about self-esteem and how low self esteem might make an individual more susceptible to peer pressure to use drugs and get involve in destructive or violent behavior. The students learn resistance techniques (ways to say no) and combine this with assertiveness. The students learn about stress and dealing with stress without the use of drugs and alcohol. The also learn ways to look at the risks of life choices and evaluate the consequences of their situations and so make the best decisions. The students also learn about support groups and where to look for support--even within an unstable family unit. The best part of the whole D.A.R.E. program is that the students learn to think carefully about choices and consequences.

So, why should the National Park Service be involved in D.A.R.E.?

How many times do Rangers respond to motor vehicle accidents involving alcohol or drugs? How many times do Rangers respond to boating or climbing accidents caused by consuming alcohol or using drugs? How many times do Rangers respond to campgrounds or hotels for domestic disputes where the involved parties are intoxicated or high? How many times do Rangers respond to suicides or accidental deaths related to drug or alcohol use? If Park Rangers are to protect the resources for future generations, shouldn't we protect those future generations as well.?

D.A.R.E. is an educational program and one of the primary goals of a Ranger is to educate. We educate people during our visitor contacts and through interpretive programs every day. We protect and interpret the most awesome historical, scenic and natural areas in the world. If future generations are to enjoy these areas, we need to take an interest in the future generations: our children. How can any generation enjoy anything if their only concern is where their next fix is coming from? Can anyone truly enjoy the sound of waves crashing on shore or appreciate a view of bison on the range if they are stoned?

In D.A.R.E., we explain how physical activity is the best way to reduce stress and maintain a healthy body. The Park Service has areas and activities that can accomplish this. We talk about Parks as alternatives to drug abuse. What better alternative is there to drugs than a hike in the mountains or canoeing a river? What better high could you get than being atop the Grand Tetons or looking out over the Grand Canyon?

We become Rangers because we care about people. We appreciate the historic, scenic and natural areas this country has to offer, including our people. I became a D.A.R.E. instructor because I care about young people. I have seen the negative impacts from drug and alcohol abuse and it scares me to think what could happen to the future generations if we don't get involved and help them before they become involved in drugs and alcohol. As a Ranger I think I can offer more than a local police officer involved in the D.A.R.E. program could. I can show city kids career opportunities they may never have considered. I can show a county kid parts of this country they never dreamed of seeing. That's why the Park Service should not only be involved in the D.A.R.E. program but should lead the way.

A number of rangers and Lodge chapters have gotten involved in D.A.R.E. and other community oriented programs. Contact Ed Clark or Troy for more information on how you can get involved.

Letters to the Editor

Editor:

I was dismayed by the strong support expressed by the Executive Board in the recent *Protection Ranger* newsletter for the Draft NPS-9. It's hard to believe you are referring to the same document I've read. The document I read is rife with problems, and is not in the best interests of the NPS law enforcement ranger.

I don't have enough time to list all the Draft's problems. But I will list some examples. The FOP might want to "plug-in" to the general ranger network to find out more about the document's deficiencies, and the broad dissatisfaction being expressed. I can't believe that the person(s) comprising the Executive Board actually read the Draft. If they had, they would have surely identified some of these problems. The article in the newsletter is a defense of the Draft, and I suspect it was actually written by the author(s) of the Draft, and blindly accepted by the FOP.

To be painfully blunt, the Draft NPS-9 has three hidden objectives:

- 1) Eliminate seasonal law enforcement by instituting administrative barriers and limiting scope of authority, without offering alternative ways of managing seasonal workloads;
- 2) Eliminate the role of USPP law enforcement specialists, again without offering better alternatives;
- 3) Securing a powerful base for the special agents of WASO/RAD (read: empire building and job security).

None of these objectives serve the ranger in the field.

Examples of some of the Draft's deficiencies:

The Draft was developed without significant field input, and doesn't reflect the needs and priorities of field rangers.

The cover memo suggests proposed changes are necessary due to several recent multi-dollar civil lawsuits. What lawsuits? Why hasn't the field been advised of these lawsuits so we can learn from other's experiences? Are such lawsuits the result of deficiencies in the NPS-9, or rather failures by individuals to follow guidelines?

The cover memo suggests the Draft better reflects recent agency reorganization. Not true. The Draft concentrates command and control in a central office, while reorganization strives for the reverse.

The Draft ignores the important support Field Office and System Support Office Law Enforcement Specialists provide to parks.

The Draft proposes a "management by directive" style, which conflicts with the NPS "manage by objectives" style.

The Draft includes very specific SOP requirements, such as the contents of patrol vehicle trunks. This is bureaucratic to the extreme, and does not help the ranger do her/his job.

The Draft assigns major non-investigative, program management and oversight responsibilities to NPS special agents. Special agents are selected and trained to be investigators, not law enforcement managers. Rangers should have significant involvement in program management decisions affecting them, and not be "ruled" by a small clique of non-rangers.

The Draft attempts to tackle issues beyond the appropriate scope of a law enforcement guideline. Recruitment, training and other Ranger Careers related issues need to be addressed, but NPS-9 is not the appropriate forum.

The Draft places too strong an emphasis on law enforcement, to the detriment of other important ranger activities, including natural and cultural resource protection.

The document's tone should raise concern. Terms such as "harm's way," "ranger force," and "life in jeopardy" are inappropriate in the context used throughout the document.

The document is unnecessarily redundant and cumbersome. It's counter productive to restate background information a dozen times in subsequent chapters.

The tremendous line authority for management of law enforcement programs

the Draft proposes to shift to the WASO/RAD/SAC position will result in dual or multiple lines of authority. This is unacceptable.

The Law Enforcement Standards Committee (LESC) would have tremendous authority over the lives of individual rangers. Is the FOP willing to allow the NPS to force each ranger to maintain a phone at home, as stated in the Draft? Does the FOP agree that a ranger be subjected to investigative action for a minor traffic violation committed off-duty?

I'm surprised the FOP is willing to allow the WASO/RAD/SAC to hand-pick the members of the LESL. In my response to the Draft, I recommended that the FOP be represented on the LESL. I guess the FOP has no interest in this involvement, though.

The FOP agrees that the NPS should mandate grooming standards?

The FOP supports prohibition of smoking in uniform (regardless of individual personal feelings)?

The FOP supports rangers being prohibited from civil process, without permission, in things not pertaining to the NPS?

The FOP agrees that law enforcement rangers should have less rights than other employees?

The FOP supports the requiring of defensive equipment during backcountry (try wearing a sidearm with a large pack), EMS and SAR activities?

Again, I am disappointed that the FOP has blindly supported a severely flawed document not in the best interests of rangers. I am also disappointed that the FOP leadership failed to consult with the membership prior to support. Finally, who is the Executive Board, and why didn't they have the guts to sign the article in the newsletter?

I have been a long and vocal supporter of the FOP. But you will have no further support from me until you take a critical and objective look at this document.

Sincerely,
Hugh Dougher
Park Ranger

Editor:

Having read your recent letter which was published in *The Protection Ranger*, I feel compelled, as a steward of the Union criticized in your article, to correct some false and misleading information. First, however, let me give you a little background on myself so you will understand where I am coming from.

After a 16 year career as a Law Enforcement Officer, I took an early retirement from the Commonwealth of Virginia for medical reasons. I moved to California and accepted a seasonal position in Yosemite NP Dispatch (1992). At the end of that season, I was offered and accepted a position in the Yosemite Law Enforcement Office as a Corrections Officer (Temp. NTE 1 year). During this time, I was an associate member of the Rangers Lodge (FOP). I came to Golden Gate NRA in 1993 for a permanent position in dispatch.

I would, at this time, like to clarify some semantics. The bargaining unit is the body of federal employees that are eligible for representation. Representation can be by a locally organized association or a formally organized Union. There are certain legal advantages to representation by a Union. Laborers International Union of North America was voted in by the majority of GOGA employees in 1993 and is recognized as the exclusive bargaining unit for GOGA employees (except the Presidio Firefighters, who are exempt due to their having been transferred into the bargaining unit when the Presidio was transferred to GOGA).

While it is true that a majority of Union members here at GOGA are WG employees, it merely represents the general makeup of employees at GOGA. A clear majority of employees here are in maintenance related positions. We (the Union) represent Protection and Interpretive Rangers, Resource Management staff, clerks, secretaries and even dispatchers as well as WG employees.

Your assertion that the Union has come out in favor of the Presidio Trust Bill is absurd and patently untrue! We are planning proactively on how to deal with the Trust when it is established. While there is little we can do until the legislation is passed, we (the Union) are planning to be in the forefront, negotiating with the Trust, to mitigate it's impact on ALL GOGA employees! Articles like yours only tend to fuel the false and

unfounded rumors that fly about, adversely affecting morale and discouraging employees from performing at their professional best.

I am particularly taken aback by your inference that the Union does not address Protection Ranger issues. First, when it came to negotiate a contract with the park, only one Protection Ranger came forward to participate. Then, that having been done, when it came time to negotiate other issues (ie: Housing on the Presidio), he continued to serve due to a overall reluctance on the part of the Protection Ranger staff to participate. He has since resigned from his position in the Union due in part to feeling like the "lone Ranger" when trying to address Protection Ranger issues. There is no one currently serving in any capacity with the Union on behalf of the Protection Rangers (I am trying to fill that role until a Ranger volunteers!).

Let me tell you what this Union can do when bargaining unit members cooperate with us. GGNRA Management began planning an evening hours program for Alcatraz Island. Because of constraints on FTE's, Management was going to supplement NPS Interpretive Rangers with civilians hired by a Park Partner to conduct parallel interpretive programs.

When the Union's representative for Interpretive Rangers learned of this plan, we (the Union) mobilized to fight that program. We got great cooperation from the Interpretive Rangers. Two Protection Rangers participated as well. After two negotiation sessions, we have offered Management a counter to their proposal. We are prepared to go to Impasse if necessary to settle this issue in favor of our Interpretive Rangers. If Management proceeds to implement their program without settling with the Union, we are prepared to file an unfair labor practice complaint and do whatever it takes to stop the program.

This is LIUNA's commitment to it's bargaining unit. Those of us on the Union's Negotiation Committee have each spent countless personal hours to this effort, even though it doesn't directly affect our working area. We are interested only in doing what is right for our people at GOGA.

By the tone of your article, I get the feeling we share the philosophy of "If you don't stand up for your rights, you have no rights to stand up for." Inaction and apathy are our worst enemies. LIUNA has the potential to address the concerns of GOGA Protection

Rangers with the same zeal and commitment that we are addressing the Alcatraz Ranger's concerns. All it takes is commitment in kind.

Sincerely,
Wayne L. Traux
Steward, Laborers International Union of
North America, Local 1276

Editor:

I am a USPP officer currently assigned to the Statue of Liberty NM. Having been a Park Ranger for two years, I am sympathetic to your current attempt to establish a collective bargaining unit. However, after reading Greg Jackson's article *Who Controls The Park Police?*, I feel I must respond to this vitriolic diatribe.

Let me start by saying the Park Police can hardly be considered an expansionist organization. In our 205 year history the Park Police has made little effort to move beyond the Washington DC area. The USPP has been at Golden Gate and Gateway NRAs since the beginning when these areas were first designated. By the way, Greg, you forgot to mention that Park Rangers replaced the USPP at the Sandy Hook portion of Gateway in the early 80s. Did you not mention this fact because it would have taken some of the inflammatory edge out of your article?

I was not aware the USPP maintained a Congressional liaison. We obviously need to do so when the draft proposal of the NPS 9 practically writes us out of existence. I did not know "eloquence" was one of the requirements for those on the secretary's security detail. I must have missed that KSA when I read the announcement. Let's change eloquent to "seasoned" or "experienced" for the sake of fairness if not accuracy. Why the USPP for this assignment? Besides the fact the Secretary spends most of his time in areas of USPP primary jurisdiction, Park Police officers are routinely involved in presidential and dignitary protection from their first weeks on the job. The USPP also has a good working relationship with the US Secret Service. Let's not start fixing that which is not broken.

Being in DC doesn't hurt when it comes to making friends, Jackson is right about that. But it's a two-way street. Sometimes the USPP is required to take enforcement action against DOI employees, Congressional employees or White House staffers. Let me assure you that does not win us many friends.

I agree with the superintendent who said Park Police bring discipline to the job. Maybe the discipline your management is looking for is a group of law enforcement professionals who don't whine to the superintendent every time a supervisor makes an unpopular decision. The chain of command you long for must work from the bottom up as well as from the top down.

As far as the USPP not being involved in SAR, I say you don't know what you are talking about. Ask an Air Florida crash survivor or an immigrant from the *Golden Venture* if the USPP are involved in SAR. And who are these "replaced" Rangers who have stayed on to perform non-USPP duties? If there are any at the Statue I have not met them.

If Jackson had bothered to talk to any of the Rangers still at the Statue, he would have found that, since our arrival, they now enjoy a 4/10 work week, stabilized shifts, and a greatly improved exercise facility. The USPP has also improved working conditions by contracting security guards to cover two fixed posts that previously tied up law enforcement personnel. All this and not a single Park Ranger at the Statue lost their job.

What was Jackson's motive for writing such a misleading article? And why would the FOP print such disinformation? The answer is obvious, they are trying to scare more Park Rangers into joining their anti-Park Police club and into voting for collective bargaining. I really hate to disappoint Greg Jackson, but we are not The Jack-Booted Thugs he tries so hard to make us out to be. The USPP did not get where it is today at the expense of the Ranger force, and it didn't happen overnight. It took 205 years of hard work and discipline to achieve our current place in the National Park Service.

Sincerely,
Stephen J. O'Neill

Greg Jackson replies:

Thanks to all the USPP officers who sent mail. Due to the volume, I could not individually respond to those below Captain level. The concerns addressed here are typical of many letters:

Re: Rangers replacing USPP, and vice versa. It is wrong for the NPS to take one group of qualified employees and toss them out in favor of another group without trying other solutions first, no matter what color the

uniform. You'll never see anywhere where I've said otherwise. What is the PADC position?

Re: Writing USPP out of NPS-9. OK, let's deal. We'll put rangers in charge of the USPP law enforcement program, and keep USPP in charge of rangers. Brilliant.

Re: Eloquence of those on Secretary protection deal. Several of those serving on security detail have objected to being called eloquent. I am not making this up!

Re: Discipline coming from the bottom up, and the top down. Excellent point. Professionalism is something the FOP has long advocated. Regarding whining to the superintendent--check with the superintendent at Golden Gate on who is highest on his whine list.

Re: USPP role in SAR, fire, EMS, etc. Some USPP replies have stated that they are glad they don't do SAR, etc. as it should be done by specialists (don't tell that to my county sheriff). Others share this writer's position.

Re: Rangers at the Statue. Lots of comments about how wonderful the rangers at the statue have it have come in. Except from the rangers at the Statue. It is nice that the Park Police did bring in a better gym and contracted out the security guard positions. Why did it take the USPP to get the improvements? Maybe if these improvements were made beforehand, the "retention problems" claimed by the park wouldn't have existed. And yes, I have talked to rangers at the Statue. They've called up looking for a job.

Re: Why bad-mouth the Park Police? Read the article again. It does not bad-mouth the *field* officer. It does take exception with some USPP management practices, and strong exception with management on the Ranger side of the Service. In fact, we'd do a lot better by emulating many of the practices of the Park Police and their union. (And go back a few years and read the ranger articles in a PADC newsletter to see what bad-mouthing is all about. Fortunately, cooler heads have prevailed.)

It's not the park police kicking rangers out of parks. It is the fault of park management taking an easy way out of solving a problem of their own creation, and it is our fault for letting them get away with it. Both employee organizations should sign a letter to the NPS requesting no changes to existing territories unless mutual agreement is reached.

Grand Lodge Legal Defense Plan In Place

The Lodge is excited to announce that final arrangements have been made to offer the Grand Lodge's Legal Defense Plan to our members. At the request of some of our members we have set it up to allow the maximum payment flexibility possible.

The yearly Plan cost is \$132 (group membership)--a savings over the \$150 individual rate. In order to offer the group rate we must have at least 50 members sign up through the Lodge. There will be two methods of payment. You can send the full amount (\$132) payable to the Lodge or, for the budget minded, we will extend the offer of spreading it out through the year by putting it on a payroll deduction (\$5.08/pay period) to the Lodge. The second method will mean the Lodge will be advancing your fee to the Legal Defense Plan, so you will have to agree to keeping the payroll deduction active throughout the time you're a Plan member.

If you already have a payroll deduction for Lodge membership, you can initiate a change in the amount to include the Legal Defense Plan. For those starting a payroll deduction for the Legal Defense Plan, we recommend combining it with your membership dues so you can avoid having to renew each year.

The Plan offers the following benefits:

Plan Structure:

The Plan will pay on behalf of a Participant such legal defense costs as are reasonable and necessary which the Participant is legally obligated to pay for the defense of any action brought against the Participant arising out of the following activities:

Coverage A- Administrative

- ◆ Any administrative action or proceeding involving: Salary, dismissal, change of assignment, demotion, promotion, leave of absence, resignation or other professional rights arising within scope of the Participant's employment.

- ◆ The issuance, suspension, cancellation or revocation of any credential, certification or license issued by federal, state or local authorities, where the credential is required for LE personnel.
- ◆ Administrative sanctions against a Participant by any law enforcement authority related to or arising from a Participant's employment as a peace officer.
- ◆ Includes immediate legal response for critical incidents.

Coverage B- Civil

- ◆ Any civil action or proceeding against a Participant arising out of the activities of that Participant in the course and scope of employment, as a peace officer.

Coverage C- Criminal

- ◆ Any criminal action or proceeding against a Participant arising out of the activities of that Participant in the course and scope of employment, as a peace officer.

The phrase "in the course and scope of employment, as a peace officer" includes activities of a Participant while on duty or technically off duty.

Legal Plan Pays:

Legal fees for coverages A, B, and C (including advice and consultation for grand jury hearings) are fully paid when using a Plan attorney. When a Plan attorney is used, there is no deductible. Reimbursable costs* are paid by the Plan up to a maximum as expressed in the Plan certificate of participation.

If the Participant uses a non-plan attorney, a \$250 deductible applies, and the Plan pays legal fees up to the amounts shown below.

Coverage A: Administrative; Initial Consultation and Hearing/\$9,000.

Coverage B: Civil; Pleading, Preparation and Trial/\$19,000.

Coverage C: Criminal; Pleading, Preparation and Trial/\$19,000. Advice and Consultation for Grand Jury Hearing /\$2,500.

Under Coverage B and C: Trial costs limited to \$700/day; Reimbursable costs are limited to \$1,000.

**Reimbursable costs, whenever used, shall mean filing fees, court costs and transcript costs.*

Brother Macri has a list of all Plan attorneys throughout the country. He will provide you with the name of the attorney nearest your location. If none is available, you will have to provide us with the name of one you recommend so that the Plan administrator can negotiate hourly rates and qualify him/her as a Plan attorney. Of course you can use your own attorney subject to the above limitations. It is to the advantage of all if the attorney will sign up as a Plan attorney.

NOTE: For a prospectus, send a self addressed stamped envelope to the Legal Defense Plan committee chair: Tony Macri, P.O. Box 97, Valley Forge, PA. 19481.

TO ENROLL: Send the following to Tony Macri at the above address:

Lump Sum Payment: Send your full name, Social Security Number, Home Address, City, State, Zip, DOB, and Years of Service in LE. Include a Check or Money Order for \$132 in the name of US Park Rangers Lodge, FOP, along with a self addressed stamped envelope. You will receive a prospectus and notification of when the Plan is in effect.

Installment Plan: Send your full name, Social Security Number, Home Address, City, State, Zip, DOB, and Years of Service in LE. Include a signed Form 1199: Direct Deposit Sign-Up Form, use the directions shown on the last page of *The Protection Ranger* showing the amount of \$5.08, if for Legal Defense Plan only (note Legal Defense Plan in "Other" block), or \$7.08 if for dues and Legal Defense Plan combined (note Legal Defense Plan/FOP dues in "Other" block), along with a self addressed stamped envelope. You will receive a prospectus and notification of when the Plan is in effect.

Chapter/Parks Corner

Ed Clark, VP Lodge Internal Affairs

Delaware Water Gap The Gap chapter is having their second annual Triathlon June 11th. Once again it is tied to NPS-57 and will feature a "Fun" event with all teams selected at random. They will be purchasing a plaque with the

winning teams' names added yearly. Rangers and Park Police from the chapters member parks are invited to participate; a barbeque will follow the race.

The chapter has agreed to get involved with the Make-a-Wish Foundation, a worthy cause that tries to make a seriously ill child's wish come true.

Valley Forge The Forge Rangers are gearing up for another KidCare ID Event. They are negotiating with the Girl and Boy Scout Councils in their area for a date to take pictures of Brownies and Cub Scouts. This will be the third time the chapter has done this. The pictures are placed in a "passport" along with vital information which is than given to the parents for safekeeping. In the event of an abduction, the information is available for Law Enforcement and media personnel to use in attempting to locate the child.

I invite any Ranger to drop me a note and tell me about your concerns. We want this Lodge and the Bargaining Unit to be responsive to its membership--to find out what you want us to do. Form a local chapter, or at least get together at a BBQ and talk with each other. Send me a name, address and phone number of a contact person from your chapter/park, preferably one who has an OnLine Service. Pass on to me your questions, comments, accomplishments and requests. I will use this to send out periodic information on what Rangers are doing or are wondering about between issues of the *Protection Ranger*.

I'm also putting together a list of member's e-mail addresses so we can update people quickly on fast-moving issues as well as get responses to various policy issues. Please take a moment to send me your e-mail address if you have one.

Address:
Ed Clark
RD5 Box 93i
Malvern, PA 19355
Phone (home): 610-296-0386
E-mail: EdClark50@aol.com

Thanks and be safe!

Resource Protection Ranger

Bob Martin wants us to know that he regrets having been unable to submit his *Resource Protection Ranger* articles lately. Bob has transferred to the Chief Ranger job at Redwood National and State Parks. He and his wife, Gayle, and daughter Monika have been busy house hunting, exploring the Northwest and preparing for baby # 2 in July! He hopes to resume his articles once he gets his household goods delivered and his computer unpacked. We look forward to getting his resource updates again.


WINCHESTER
AMMUNITION

OLIN-WINCHESTER
Law Enforcement Marketing
427 N. Shamrock Street
East Alton, Illinois 62024

Contact: Mary A. Stanley
Phone: (618) 258-3752
Fax: (618) 258-3393

Commitment to Law Enforcement


Kittatinny Canoes

Delaware River Trips
New & Used Canoe Sales
Present your NPS ID for a discount on a canoe purchase or river trip.

It's our pleasure working with the NPS to provide quality recreation on the Delaware.

Thanks, the Kittatinny staff and the Jones Family

Dingmans Ferry, PA 1-800-FLOAT-KC

These items just in to help finance Lodge projects:

Coffee Mug: 10 1/2 oz. Lt. Grey ceramic mug with Green, US Park Rangers Lodge **\$5.00**

Drink Can Holder Dark Green, barrel shaped can holder with Gold Ink, US Park Rangers Lodge Logo. Fits standard 12-ounce cans, and is made of tear proof Tufffoam® insulation from Coleman® **\$5.00**

Add \$5.50 shipping on orders under \$50. VA residents add 4.5% sales tax. Send your orders to the Lodge Address.

Lodge Dues and E-Z Pay Plan

Lodge dues are \$52/year (just \$2/pay period using Direct Deposit). To make it easier for you to pay and the Lodge to collect, we hope you'll fill out a Form 1199: the **Direct Deposit Sign-Up Form**, available from your park's fiscal office.

You are only allowed 2 such allotments from your paycheck, so if you have that many already, you'll have to send us a check for the full amount. Otherwise fill out the Form 1199 as follows:

Section 1:

Block C: Write in your Social Security number.

Block D: Check the **Checking** box.

Block E: 090220704401

Block F: Check **Other** FOP Dues

Block G: Type: New Amount: \$2.00

Section 2:

Agency Name USDI-National Park Service

Agency Address Your Park's HQ Address

Section 3:

Name and Address of Financial Institution:

Patrick Henry National Bank
POB 1776
Bassett, VA 24055

Routing Number

0514-0395-7

Sign with your name and Date (Section 1) then send to the Lodge at POB 151, Fancy Gap, VA 24328. We'll have our bank sign it and then we will send it to NPS payroll. We realize this is, initially, a little more complicated. Ultimately though, it makes your dues paying a little more painless and our cash flow a lot steadier. We hope you'll choose this option.

Your dues cover a legal assistance fund available to all members. Members of the Lodge will automatically be entitled to initial and free legal advice from Passman and Kaplan for Service related problems. The Lodge may cover additional legal services for a member. Your dues are used extensively to cover legal expenses involved in questions or challenges to LE retirement cases of national importance, LE Backpay claims, FLSA coverage and overtime disputes, as well as individual assistance to members in need. Thank you for maintaining your membership in the US Park Rangers Lodge.

U.S. Park Rangers Lodge
Fraternal Order of Police
POB 151
Fancy Gap, VA 24328

Lodge Members: Please check the Renewal Date on your address sticker and renew if necessary. Get Form 1199, Direct Deposit, from your Fiscal Office and pay your dues in easy installments of only \$2/pay period. Thank You!

Lodge Phone: 800-407-8295
10 AM to 10 PM Eastern Time

Application for Membership

I, the undersigned, a full-time regularly employed law enforcement officer, do hereby make application for active membership in the U.S. Park Rangers Lodge, FOP. If my membership should be revoked or discontinued for any cause other than retirement while in good standing, I do hereby agree to return to the Lodge my membership card and other material bearing the FOP emblem.

Name: _____

Signature: _____

Address: _____

City: _____

State: _____ ZIP: _____

DOB (required): _____

Permanent Rangers: \$52/year (or \$2/pay period using Form 1199 Payroll Deduction).

Seasonals: \$35/year.

Both seasonal and permanent members are entitled to coverage from our Legal Assistance Fund for Service related problems.

Associate (non-Commissioned) Membership (newsletter only): \$35/year.

Renewal

Enclose a copy of your Commission (new members only).

NPS Area: _____

Mail To: FOP Lodge, POB 151, Fancy Gap, VA 24328.

