

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

May 9, 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 four sections of the report - Field Notes; Park Exchange; Resources; and Vacancies, Register Openings and Details - are welcome and encouraged.

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REGULATIONS - JURISDICTION UPDATE - Dennis Burnett, RAD/WASO

**Regulatory Reform:** The second phase of the Service's response to the President's regulatory reform initiative has been completed and submitted to OMB. This phase consisted of a page-by-page review of **ALL** regulations each agency is charged with enforcing. A work group gathered here during the week of April 10th to review the bulk of regulations found in 36 CFR. Special regulations were farmed out to individuals with expertise and to individual park superintendents.

**Proposed Regulatory Moratorium:** The Senate did not agree with the language in the regulations moratorium that was passed by the House and unanimously passed their own bill, which established a review process for each house of Congress on any regulation passed by a regulatory agency. The two pieces of legislation will go to a conference committee to work out a compromise.

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

**Climbing Regulations:** Nothing has changed on the status of this regulation. This rule was placed on hold by the Secretary's Office in the fall of 1994.

**36 CFR Part 2:** The final draft package is in Ranger Activities for internal review. Meetings that were scheduled with the Directorate for the beginning of April were postponed and will be rescheduled.

**NCR T-Shirt Regulation:** This final rule was printed in the Federal Register on April 8th. The rule governs the sale of certain items related to First Amendment activities on park land within the National Capitol Region. A federal judge has issued a temporary order barring the Service from enforcing the regulations - or, more appropriately, enforcing them against seven groups that jointly brought a suit against the agency. These vendors represent non-profit and non-commercial groups with legitimate First Amendment causes. A full hearing will be held before the judge on June 1st.

**36 CFR 9B - Minerals Management; Non-Federal Oil and Gas Rights:** This proposed rule is being reviewed by OMB and should be released shortly. It would update existing regulations and strengthen the National Park Service's ability to protect the natural, cultural and historic resources of the National Park System from all non-federal oil and gas and geothermal operations within park units.

**Part 7 & 13 - Special Park Regulations:** At least 14 special park regulations are in the Department at some level of the review process. Glacier Bay Vessel Management Regulations were sent to OMB on April 27th for review.

**Section 1307:** This proposed regulation was printed in the Federal Register on April 25th. It 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. This rulemaking will provide particular guidance in the solicitation, award and renewal of Alaska visitor service authorizations.

**Same-Day-Airborne:** The hunting portion of this final rule was printed in the Federal Register and became final on April 11th. It will establish an NPS prohibition of hunting on the same day in which a hunter has flown in an aircraft. The trapping portion of the rule was reopened for additional comments and printed in the Federal Register on April 13th. The trapping portion 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.

**Jurisdiction:** A concurrent jurisdiction package for the state of Maryland has been awaiting the governor's signature since late January. A concurrent jurisdiction package for Appomattox Court House NHP is being reviewed by the Solicitor.

FEE PROGRAM UPDATE - Tim Stone, RAD/WASO

**NPS-22:** A task force met the week of April 10th in WASO to work on the draft revision of NPS-22, the recreation fee guideline. The group was comprised of employees involved in fee management at Fort Frederica, Great Falls, White Sands, Cape Cod, Glacier, Grand Canyon, and in MWRO and AOD. Changes will include updates on forms, Golden Age procedures and remittance procedures. Clarifications will be included for educational fee waiver and Golden Access procedures. New sections will be added on commercial tour fees, appropriate use of 15% fee monies, position descriptions, and procedures for dealing with external fraud of the fee program. A draft will be sent to the regional fee program managers in 60 days for review by the field, AOD, and NPS concessions managers. There will be a 30 day review period; all comments should be sent to regional fee program managers, who will compile comments for their regions. The task force will reconvene in October to complete a final draft. The final draft will be then submitted for management review and approval, with a target release date of January, 1996.

**Mistix:** The final format for Mistix brochures has been approved and they are now being printed. There have been a number of complaints recently from people who have been unable to get through on the Mistix 800 number. Please pass information on any such problems to Tim Stone via cc:Mail.

**Fee Legislation:** The proposed fee legislation is being reviewed by OMB. Discussions are currently underway in WASO and Interior on how to best market the "National Park Service Fee Management Act" (the name of bill is subject to change). The legislation is still slated to be introduced in Congress sometime in May.

**Passport Printing:** The Golden Eagle, Age, and Access Passports and brochures are currently being printed and will be distributed to regional program

managers as soon as they are available.

**Corps of Engineers Fee Program:** Information concerning Army Corps of Engineers user fees for 1995 has been sent to the regional fee program managers. Their fees include charges for use of developed swimming beaches, and boat ramps, and a \$25 annual user fee pass. Contact your regional fee program manager if you would like more information.

**Detailees:** Gerry Nelson of Glacier and Jennifer Sypher of Grand Canyon were in Ranger Activities through the end of last month to assist Tim Stone with the fee program.

**Bulletin Board:** Kurt Veeck of Lassen Volcanic is finalizing a fee program electronic communication bulletin board system to expedite information sharing and allow for quick updates on subjects germane to the fee program. Gerry Nelson will act as editor for the system and each cluster group will have a point person. Fee program people interested in serving as point contacts should contact their regional fee program managers.

CIRS/NIBRS UPDATE - Bob Reid, RAD/WASO-SERO

The month of March was dedicated to training CIRS system administrators for Southwest and Southeast Region parks. Gary Hartley, Pecos, and Ben Espinoza, SWRO, assisted in setting up the parks in Southwest Region. If your park hasn't yet made the move to the CIRS program, you can contact one or both of them for assistance. In Midwest Region, Guy Whitmer of Indiana Dunes and MWRO has graciously taken on the role of assisting his region's parks in setting up their CIRS systems. You can also contact me for assistance.

Since January, we've trained a total of 56 system administrators for the parks, and the response from all involved has been positive. These administrators have are now developing plans of action to implement the CIRS program in their parks and train all law enforcement rangers and others who do case incident reports. parks in the area. I've also talked with Scott Lopez, Badlands, who is interested in setting up training in that area in the near future. Dates will be forthcoming.

There have been some questions from the parks as to why the CIRS program is a stand-alone cc:Mail computer to computer system and not applicable to LANs. When the program was originally being discussed by the user group comprised of administrators and field people, it was recommended that it be a stand-alone system, and that's accordingly the way it was developed. LANs were not generally available at that time, and there were also concerns about controlling access to the information that would be collected and entered. We are looking at getting a LAN version on-line, but still must find a way to control access to CIRS information. We will still have to have both applications, since LANs will not be on-line throughout the Service until well after we get all CIRS programs out to the field.

I would like to hear from those of you who are working with the program who have had either positive experiences or problems with the system.

FLETC UPDATE - Cindy Ott-Jones, FLETC

The U.S. Fish and Wildlife Service is interested in any and all surplus Ruger Mini-14 rifles that we might want to get off our inventories. With our transition to Colt rifles, there should be many excess Mini-14's that are no longer needed. Since FWS is part of Interior, we can legally transfer these weapons. All that is needed is an Excess Property Transfer Form (Form 122).

The contact person for FWS is special agent Rick Thornton at FLETC, phone number (912) 267-2370. Please give him a call if you have any of these weapons that you want to survey.

As of October 1, 1995, the NPS Law Enforcement Training Center at FLETC began reimplementing of its former policy that each 11 LM student must successfully pass all five areas of the physical efficiency battery (PEB) as a graduation requirement. Potential candidates for the course are advised to contact their regional law enforcement specialists or regional training officers for details of this test. Students who do not pass this test will not receive a graduation certificate from FLETC! They will instead be returned to their duty stations prior to graduation.

#### BACKGROUND INVESTIGATIONS - Maj. Dale Dickerhoof, RAD/WASO

In 1993, the Department of Interior revised 446 DM, its law enforcement handbook. Among other changes, that revision strengthened existing policy regarding suitability investigations. Pursuant to NPS policy, published last July, employees in permanent law enforcement positions are now required to have a single scope background investigation (SBI) with favorable results PRIOR to placement - unless waived by the Director, Office of Enforcement and Security Management (OESM). Temporary/seasonal employees are required to have a limited background investigation (LBI) initiated prior to the employee performing law enforcement duties.

Although the costs of the investigations are substantial, the benefits outweigh them. Of the 640 suitability investigations cleared in WASO since mid-1993, about 45 employees were disqualified and removed from law enforcement duties. In order to underscore the importance of the investigations, we thought you might be interested in hearing why some of these people were disqualified:

\* A ranger admitted arrest and conviction for possession and distribution of cocaine. The park did not advise region of this fact before issuing a commission.

\* A ranger had an outstanding warrant for his arrest. The park apparently did not conduct even a basic background investigation before requesting issuance of a commission.

\* A park was aware that an employee had attempted to commit "suicide by cop"; that is, cause a police officer to shoot him. The park did not refer the information to the affected regional office and allowed the employee to work an entire season. The park also failed to provide information to another park that subsequently hired the employee, then had to initiate an adverse action.

\* A park was aware that a commissioned employee was involved in a motor vehicle accident in which he provided false information to the other party regarding his identity. The employee was subsequently involved in another similar accident and fled the scene. He has been indicted and faces criminal charges.

\* A park's chief ranger advised a prospective commissioned employee to provide deceptive and misleading information regarding his criminal history.

\* A ranger who was fired from two law enforcement positions put in for a third. The park accepted his other than factual account of his dismissals and recommended him for a commission.

\* A park failed to initiate routine local agency checks, which would have revealed a prospective employee's extensive criminal history. Information was not forthcoming until receipt of the suitability investigation findings.

\* A park recommended a commission for an employee who claimed to have been "an associate commander for the park ranger command, assigned to xxxxxx

Community Colleg." Indications are that there was no such rank, position or assignment.

\* A park failed to acquire and/or report readily available information that a prospective employee had been fired from a previous police officer position for "departing from the truth, conduct unbecoming an officer, and violation of department policy."

\* A park failed to conduct routine checks which would likely have revealed that a prospective employee had been fired from prior law enforcement positions, had falsified his SF-171, and had a criminal history.

\* A park was aware that an employee was delinquent on local taxes, had a poor credit history, and had defaulted on federal obligations in excess of \$100,000. The park recommended that the employee be removed from fee collector duties, yet retain his law enforcement commission.

\* A park failed to initiate an inquiry which would likely have revealed a prospective commissioned employee's diagnosis of "homicidal ideation" which might result in "disastrous consequences..."

#### FIELD NOTES

##### **Ranger Activities**

Many of you remember Helen Kelly, who was for many years the secretary for this office in general and the Branch of Fire and Aviation Management in Washington in particular. Helen recently left the government on a disability retirement due to serious medical problems; specifically, kidney failure. Helen was a hard worker and a continuing source of both energy and humor; she also worked on many programs that directly benefitted all of you. This would be a good time to say thank you by sending her a card or message. You can do so either by writing to her at her home (322 20th Street NE, Washington, DC 20002) or by sending a cc:Mail message to Bill Halainen, who will send all messages he receives on to Helen in one packet.

##### **Coulee Dam**

Chief ranger Gil Goodrich recently represented the NPS in the 1995 World Police and Fire Games in Melbourne, Australia, where he won a gold medal in cycling. Over 7,000 law enforcement officers and firefighters from 46 countries participated in the games, which are held every two years; Calgary, Canada will host the 1997 games. For information on state, national, or international police and firefighter competitions, contact Gil at 509-633-9441 or via cc:Mail by name.

##### **NIFC - Boise**

The Nation's highest award for wildland fire prevention will be presented on May 17th to Bill Clark, fire management specialist with the NPS at the National Interagency Fire Center in Boise. The ceremonies will be held in the office of the associate chief of the Forest Service in Washington, D.C.

The Golden Smokey Bear Statuettes are presented annually by the chief of the Forest Service to recognize individuals and organizations for their outstanding service in wildfire prevention over a period of three years or more, encompassing national publicity for their efforts.

Bill Clark has had the lead for fire prevention for the National Park Service since 1990, moving the program towards Servicewide objectives. The fire prevention analysis system Bill developed has been adopted by all Department of Interior resource management agencies and is being taught at the Forest

Service fire prevention training conducted at NARTC in Marana, Arizona. In 1992, he institutionalized the NPS fire prevention policy for prevention action plans for national parks. In 1993, Bill assisted DOI in the development and funding of National Wildfire Prevention Planning Workload Analysis software, which quantifies prevention plan actions and materials by budget levels for inclusion into agency fire planning processes. Bill has also served as an instructor and exercise coach for the Forest Service's ignition management course at NARTC since 1993. With Bill's direction and personal assistance, the National Park Service participated in the development of the DOI Wildfire Prevention Field Guide series and short-range DOI prevention program planning strategy.

### **Big Bend**

Roger Moder, Big Bend's law enforcement specialist, has been selected to be honored during National Victims' Rights Week for outstanding efforts in working with victims of crime. On several occasions over the course of the past year, Roger personally worked with and ensured that individuals affected by illegal activity in the park received services from the federal victim/witness coordinator. These included the victims of a physical assault and the widow of a homicide victim. In the homicide, several attorneys had contacted the family of the deceased indicating their interest in pursuing a possible lawsuit against the United States. The family has apparently flatly turned down any such efforts, citing their "fine treatment" by Moder, the National Park Service and the federal victim assistance program. Moder received his award from the United States Attorney for the Western District of Texas in San Antonio on April 27th.

## PARK EXCHANGE

### **Mojave**

Although you may have budget and staffing challenges facing you, you might check out the problems that the staff at Mojave are having in setting up their operation. The following was sent in by Bill Blake, the park's chief ranger:

At 1,400,000+ acres, Mojave is the fourth largest park in the lower 48. Size alone offers some major and significant logistical and communication challenges. To add to this challenge, Mojave is nearly as remote as Death Valley. Examples: The park's current center for field operations and its visitor concentration areas are a 250 mile round trip drive from park headquarters. Its key historical resources are 100 miles from park headquarters. From headquarters to the nearest northern entry point is a 60 mile one way drive; the nearest entry point from headquarters going east is an 80 mile one way drive. The park has in excess of 600,000 acres (the size of Great Smoky Mountain NP) of established wilderness, 350 miles of paved road and 800+ miles of improved dirt roads. While it is true that visitation figures are not known, a reasonable guess places it in excess of 700,000 visitors - and it will grow once the arrowhead goes up on adjacent interstates.

The park's radio system is marginal at best, with about 40 percent of the park uncovered. Cell phone coverage isn't any better. Rangers therefore routinely engage in law enforcement operations without communication support.

Rangers patrol in a collection of hand-me-downs and surplus vehicles, all with high milage and requiring weekly repairs. Two-thirds of them lack radios.

Law enforcement, SAR, EMS, resource violation and wildland fire workloads are significant. This assessment is based on both personally observed actions and incidents and intelligence received from other agencies and informants. From the patrol staff's initial work, it is known that drugs, weapons, acts of violence, and resource and wilderness violations can and do occur on a routine basis.

In the short life of this park (five months), over \$500,000 in illegal drugs have been seized. Two meth operating labs have been taken down. Rangers have so far discovered four very remote illegal operating air strips (drugs are suspected), and Customs has informed us that some of the park's paved roads are also used as clandestine air strips. Rangers are in the process of investigating 14 residential trespass incidents, bulldozing and dumping in wilderness areas, probable grazing trespass, and illegal and trespass mining operations. Rangers are responding to wildland fires, about 90 of which occur during an average year. Vehicles operating in wilderness areas are the rule, not the exception. Several SAR missions have already been conducted; more are likely as visitation increases. Scores of weapons (24 in one case alone) have been confiscated. Poaching of wildlife is common. Park roads are "low flying zones" in which vehicles are often clocked in excess of 90 mph. Natural, cultural and historical resource deprecations are common. And violations of 36 CFR are too numerous to count.

In addition to shouldering the workloads of resource and visitor protection, the patrol staff must also perform work most often done by park maintenance, as there is no maintenance staff. This includes garbage collection,

servicing restrooms, vehicle maintenance, facility maintenance, sign maintenance and other maintenance functions. These workloads are addressed at the expense of the patrol and investigative functions.

Logistics also take time, as routine mail and supply pickups all entail 250 mile round trip drives.

When not doing park maintenance or working in the logistical functions, the park has three FTEs dedicated to its field law enforcement and emergency services program and one FTE (me) at headquarters. When the documented and existing workloads are divided into the existing staff, there can be little doubt that Mojave patrol rangers shoulder some of the highest workloads in the Service. There should also be little doubt that Mojave patrol and investigative programs and functions fall short in every major operational and policy standard.

Mojave may be a unit of the NPS, but its resources are not yet protected nor are its visitors protected and served to any resemblance of NPS operational standards or policy. The challenges associated with its geographic size, remoteness and staffing levels are overwhelming the existing staff. The "eyes and ears" functions of patrol are currently ineffective and the investigative function is non-existent.

Well, we know you can not send FTE or dollars, but, if you want to help a fledgling program edge back from the brink of defeat, there are some ways you can help. Mojave's resource and visitor protection program lacks much of the equipment used in direct, day-to-day operations and operational support. Our patrol vehicles are without any sort of standard and/or emergency equipment. We are in desperate need of radar equipment. We lack any and all standard office support equipment. We lack basic EMS and SAR equipment. We lack basic surveillance equipment. We have no cameras, binoculars nor spotting scopes.

If you find yourself about ready to survey equipment that still has some life in it or if you simply want to help a brand spanking new park, think about sending it to Mojave. If you want to make arrangements to help, please call Thane Weigand, the Kelso District Ranger, at 619-733-4253. Long term loans can also be worked out!

RESOURCES

No submissions.

VACANCIES, REGISTER OPENINGS AND DETAILS

**INS Detailee**

Lynn Cosentine, who in the Immigration and Naturalization Service's executive leadership program, is looking for an executive level assignment at the GS-13 level for a 60-day period. INS will pay all expenses. She would like the assignment to have some connection to INS work, but this is not necessary. Interested parks should contact Bob Marriott in Ranger Activities.

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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

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