

**CLEAR TEXT:
WASO Ranger Activities'**

Electronic Newsletter

January 31, 1996

CLEAR TEXT is the monthly 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), field area office ranger divisions, park chief rangers, and other interested parties.

Short submissions for the last two sections of the report - "Park Notes" and "Job Market" - are welcome and encouraged.

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.

6C RETIREMENT - Bill Sanders, RAD/WASO

We were surprised to learn last week that Ann Meroney, the Secretary's Designee for Special Retirement Programs, decided to take early retirement. She stopped by Ranger Activities as she checked out to wish everyone well. A new "designee" has not yet been named, but H.T. Leal, who has been working in the 6c office with Ann has assumed most of her responsibilities. H.T. Leal can be reached at 202-208-5381. Also, in case the word has not reached EVERYONE yet, Marsha Lee, the NPS 6c guru in WASO, has transferred to Cape Hatteras as the park's new personnel officer.

Those of us in Ranger Activities and rangers and park staffs throughout the Service will miss both Ann and Marsha, who together provided a wealth of expertise assisting us with 6c coverage for rangers. We sincerely wish them the very best in their new pursuits.

The government shutdown prevented the planned reviews of FERS 6c claims scheduled to take place just before Christmas. Tentative plans are to reschedule this effort for March.

We are still actively pursuing an agency 6c policy initiative to implement the 1993 NPS policy decision to convert the protection ranger work force to the 6c retirement system. Our proposal would have management complete the designation of positions for 6c coverage, then provide an agency mechanism to review the previous service of current incumbents of designated 6c positions, whether or not the individual submitted a claim for past 6c service. We may or may not be successful in launching such an initiative, but we feel there are many advantages in doing so.

REGULATIONS/JURISDICTION UPDATE - Dennis Burnett, RAD/WASO

36 CFR Part 2: The informal review of the final draft by the Solicitor's Office continues. Action on the final proposed package awaits the conclusion of this analysis.

NCR T-Shirt Regulation: Nothing has occurred in the appeals process since the last CLEAR TEXT. The Solicitor's Office would like us to remind all parks that the sale of message-bearing T-Shirts is NOT ALLOWED under 36 CFR 2.52.

36 CFR 1.2, 1.4 and 13.2 - Applicability and Scope: The proposed rule was printed in the Federal Register on December 5th. This rule seeks to eliminate confusion about the applicability of NPS regulations on waters within the boundaries of areas of the National Park System. The comment period ends on February 5th.

36 CFR 1.3 - Penalties: This final rule is ready to go to the Federal Register. The rule will revise the existing penalty provisions for convictions of violating National Park Service regulations found at 36 CFR 1.3(a) to conform with the Criminal Fine Improvements Act of 1987 (Pub. L. 100-185; 18 U.S.C. 3571).

36 CFR Part 61 - Procedures for State, Tribal and Local Government Historic Preservation Programs: The NPS is revising and amending 36 CFR 61 with the intent of providing more flexibility in 1) state historic preservation office staffing, 2) state historic preservation review board membership and operations, and 3) state historic preservation officer responsibilities. The regulation is still being reviewed by the Office of the Solicitor.

43 CFR 10 - NAGPRA: This rule became final on January 3rd.

36 CFR Part 3 - Boating and Water Use Activities: A proposed regulation is being developed concerning the introduction of "non-indigenous aquatic nuisance species" into park waters. The NPS proposes to regulate access to NPS waters by individuals and vessels that have recently operated in waters infested with injurious non-indigenous aquatic plant and animal species. This regulation is the result of the spread of the zebra mussel and is being reviewed by the Solicitor.

36 CFR Part 11 - Arrowhead and Parkscape Symbols: This proposed rule will provide protection not only for the NPS arrowhead, but also to the USPP insignia, the park ranger badge, and the NPS park ranger, special agent and criminal investigator credential shields. The rule, which will also delete reference to the Parkscape symbol from the section, is currently with Assistant Secretary Frampton.

Jurisdiction: The NPS is working on correspondence to make application to the state of Tennessee for the cession of concurrent jurisdiction over those lands and waters owned and administered by the NPS within the state and over which the United States exercises proprietary jurisdiction. Along with a requested cession of jurisdiction by the state, the NPS is also proposing to cede jurisdiction over those lands and waters owned and administered by the NPS within the state over which the United States exercises exclusive jurisdiction. This package is being reviewed by the Solicitor's Office.

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

Commercial Filming: The revised guideline material is still in the Office of Policy, but is about to be released to me for inclusion into the upcoming revision of NPS-53. One point that has not changed is the continued restriction on the Park Service in collecting "location" fees. This restriction arises in the regulation found at 43 CFR 5.1(b)(1), which says that "no fees will be charged for the making of motion pictures, television productions or sound tracks on areas administered by the U.S. Fish and Wildlife Service or the National Park Service." This has been interpreted by the Solicitors Office as meaning that no fair market value (location) fees may be collected for this activity. It does NOT preclude recovery of costs by the Service under 16 USC 3a. Efforts are underway to either change or delete this

regulation, but at this moment, as in the past, location fees are NOT to be charged for filming.

PWE 456/457: A question on these PWE's has just come up and still seems to be causing problems. The policy decision has been made to NOT use PWE 457 for the deposit of special park use monies. All special park use receipts are to be deposited in PWE 456. The definition is currently being changed, but the furlough and other priorities have delayed the announcement. Even though PWE 457 still exists, please do not use it for this purpose. The Solicitor has also decided that PWE 456 and 457 are NOT no-year money accounts, as has been stated before in CLEAR TEXT. Be sure to take that into account when you are dealing with these accounts.

NPS-53: A task force has been formed for revision of the guideline and met over this past week. Current plans call for this work to be completed by the middle of March. I will keep you informed of progress.

FLETC UPDATE - Paul Henry, FLETC

Two special gatherings were held at FLETC during 1995, and we would like to recognize certain individuals for their assistance.

During January, 1995, a committee of ten people met to lay the foundation for law enforcement competencies for entry, middle and journeyman level positions. Serving on that committee were co-chairs Butch Farabee (PAIS) and Tom Cherry (FLETC) and members Chip Davis (FLETC), Cindy Ott-Jones (FLETC), Kevin McCarthy (FOFR), Alice Ruth (GUIS), Bill Rohde (OLYM), Bill Dwyer (Memphis State), Rich Howard (USPP/FLETC), and Bruce Clements (USPP/FLETC).

Special agent Chip Davis organized a two-week-long resource protection training course, which was held at FLETC last February. Through the cooperation and hard work of many, the course was a success. We'd like to recognize the following people; Woody Jones, Jerry Hobbs, Larry Elford, Leslyn Erickson, Tom Rayl, Hank Blatt, Bob Wells and Darlene Koontz, all from FLETC; Frank Sims, Bubba Carthens, Lenny Jones, Ray Porter and Joe Oliveras from the Fish and Wildlife Service; Craig Jeffries and Randy Gallegos from the Border Patrol; and NPS participants Brent McGinn (CANA), Mark Spier (CHOH), Pat Buccello (IMFO), Bruce Bytner (BLRI) and Clayton Jordan (SHEN).

PARK NOTES

"Park Notes" is open to all parks who have something to say - whether an announcement of a significant ranger activity, a request for assistance on a project, an offering of surplus equipment - in short, anything of consequence to you that you'd like to get out Servicewide.

*** No park notes this issue ***

JOB MARKET

This section of the newsletter is open to all listings of vacancies, details, and other related position announcements. We'll also list inquiries from overseas for placements in U.S. parks.

Capitol Reef

The park is employing local registers for seasonal hiring this year. Please watch for vacancy announcements for visitor protection rangers, bio technicians and laborers. Some of the positions will begin as early as the first week of March and may run for six to eight months.

Prepared by the Division of Ranger Activities, WASO, with the cooperation and support of Delaware Water Gap NRA.

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