### Letters

#### Powerful Issue

I read the article, “Power of a Place,” (Spring 2006, Ranger) and really liked it. The author really summed up why I don’t want to work anywhere else.

I have, of course, read this stuff before, but it’s good to be reminded of it every now and again. It’s sometimes easy for me to lose perspective and get frustrated with the small “I put everyone else first after me” thinking that seems to become a larger part of the Service’s culture each year.

That article speaks to what I think the Service’s culture ought to be, or at least why I believe I’m here. I’ve gotta’ say, I used to hear Service employees talk like this a little more when I was in the Western parks than since I’ve been in the East.

Keep the faith.

— Leroy Renninger
Fort Necessity

#### Compelling Stories

I just received my copy of the “Power of Place” edition (Spring 2006, Ranger). I couldn’t be happier. The edition turned out great with lots of compelling stories and great photos for each. This was a good idea for a theme. Thanks so much for including our stories. I guess I am a bit embarrassed to say that I have not become a member but will do so immediately.

— Robert West
Chinook, Montana

#### Share your views!

Signed letters to the editor of 100 words or less may be published, space permitting. Please include address and daytime phone. Ranger reserves the right to edit letters for grammar or length. Send to fordedit@aol.com or Editor, 26 S. Mt. Vernon Club Road, Golden, CO 80401.

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### ANPR Calendar

- **Ranger (Fall issue)**
  - Deadline: July 31

- **Ranger (Winter issue)**
  - Deadline: Oct. 31

- **Ranger Rendezvous XXIX**
  - Nov. 11-14
  - Coeur d’Alene, Idaho

- **Coming next issue:** Administration in the NPS
President’s Message

In the last issue of Ranger I thanked the outgoing members of the board of directors for their hard work and dedication to the organization. Now I would like to welcome the new members of the board and thank them for stepping forward to take on responsibilities for the benefit of the membership of ANPR.

Liz Roberts has taken on the task of treasurer, the position responsible for overseeing the organization’s finances.

As board member for education and training, Todd Stoeberl is handling the coordination of an important service for our members.

Ken Mabery is taking on the task of facilitating the flow of information throughout the organization as the member for internal communications.

Stacy Allen, as the member for strategic planning, has become an important part of the organization’s planning team.

Welcome and thank you for taking on the business of ANPR. I would also like to remind everyone that this November we will ask members to step forward to run for other positions on the ANPR Board of Directors. The positions up for election will be president, membership services and fund raising activities.

These positions are key in shaping the future of the organization. I urge all members to give serious consideration to stepping forward to take on these responsibilities. 

Stacy Allen

CENTENNIAL: This issue of Ranger celebrates 100 years of antiquities preservation in grand style. These pages contain articles by some who pioneered programs spawned by the 1906 Antiquities Act. Strong programs such as Vanishing Treasures and underwater archeology are leaving lasting legacies. What will the next 100 years bring?

A National Park Service diver from the Submerged Resources Center works on the wreck of the Glenlyon in the early 1980s at Isle Royale National Park.

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100TH ANNIVERSARY
of a
Milestone Act

By Ken Mabery
Guest Editorial Adviser

It is less than one page long. About the same length as Robert Frost's acclaimed poem, *Mending Wall*, and much shorter than Edgar Allan Poe's *The Raven*, and yet it is not committed to memory. It is much shorter than the well-known conservation essays of Thoreau and Muir, yet it has had more impact, arguably, on protection and preservation than all of their writings combined. In fact, few acts of Congress have had so much impact on protection and preservation. And this act has only been amended once—in 1945 to restrict its use in Wyoming, a backlash to President Franklin Roosevelt's designation of Jackson Hole National Monument.

How would you like to be working for the Smithsonian Institution today? It could have happened! Attempts to get antiquities legislation began in the late 1890s. No fewer than eight pieces of antiquities protection legislation were introduced in Congress between February 1900 and June 1906. All of these held in common the goal of setting aside "worthless lands out of the public domain as reservations for the protection of a great variety of objects of antiquity. Most, but not all, included "scenic beauty, natural wonders or curiosities . . . or other objects of scientific or historic interest" (from the bill introduced April 26, 1900, by Representative John Lacey of Iowa, the same congressman credited with the "Lacey Act" for bird conservation).

One bill, introduced in 1902, would have placed supervision of "aboriginal monuments, ruins and other antiquities" with the Smithsonian Institution.

As you will see in this issue of Ranger, Lacey fought for six more years until he succeeded in introducing and getting passed "An Act for the Preservation of American Antiquities." Thus was born the "national monument" concept, a term that noted National Park Service historian John Ise has said "... was not well chosen, for a great variety of objects were reserved . . . most of these cannot appropriately be called 'monuments.' Perhaps 'national reservations' would have been a better word."

Indeed, one of the great ironies is that close to two-thirds of the national monuments designated under this act are primarily natural resource-based areas rather than cultural. One has to wonder if John Lacey and Edgar Hewitt, confirmed advocates for antiquities protection, foresaw this potential.

"Rarely had the nation so openly revealed that its efforts to protect the uniqueness of the West had been strongly motivated by search for cultural identity," wrote Alfred Runte in his book, *National Parks: An American Experience*. "Americans now made the dwellings of prehistoric Indians suffice for the absence of Greek and Roman ruins in the New World."

Historians credit the Antiquities Act as shaping the nation's consciousness for conservation acts that followed: the National Historic Preservation Act (1966), the National Environmental Policy Act (1969), the Archeological Resources Protection Act (1979) and even the NPS Organic Act of 1916.

More than a quarter of the NPS units were set aside as "national monuments." More than 28 of these have later been redesignated (some would say upgraded) as national parks (see page 7), most recently, Death Valley and Joshua Tree.

Although few today like to acknowledge it, 11 national monuments have been abolished, most for good reasons. Included are Fossil Cycad (South Dakota; no more fossil resources are known to exist on the site), Holy Cross (Colorado; a seasonal cross formation resulting from snow accumulations) and Verendrye (North Dakota; no known resource and the site is now under water).

Others have been turned over to other management: Lewis and Clark Cavern (Montana) and Shoshone Cavern (Wyoming), the former is now Morrison Cave State Park, the latter owned by the city of Cody; and Papago Saguaro (Arizona; now Papago State Park). At least one, Castle Pinckney, may eventually be included in an expanded Fort Sumter National Monument.

As Runte points out, "The lasting significance of the Antiquities Act lay in its... decree that... new reserves be called 'national monuments.'"

The National Park System would certainly be less rich without this act. America might not have caught up with its European roots in preserving sites of world-class antiquity until it was too late, and many of us who work in the NPS would not have the privilege of serving at sites that enhance the American spirit.

Ken Mabery currently is superintendent at Fort Necessity and Friendship Hill. He also is an ANPR board member.
The First!

By Scot McElveen

Devils Tower

The United States is a country of speculative seekers. We like to be associated with the biggest, the rarest, the most expensive, the greatest, the best. We in the National Park Service are not immune to this trait. We still discuss which is really the first national park — Yellowstone in 1872, the Yosemite Grant in 1864 or the Hot Springs Reservation in 1832.

However, there is no doubt where America's first national monument is located. Shortly after the passage of the Antiquities Act (June 8, 1906) President Theodore Roosevelt proclaimed a silhouetted butte in the Black Hills of Wyoming as Devils Tower National Monument on Sept. 24, 1906.

The Antiquities Act is one of the milestone conservation acts of its time. But what else was going on in the country at the time? What was the history of Devils Tower and why did Roosevelt choose to proclaim it a national monument? How did the residents of a relatively new state (Wyoming, 1890) relate to the use of the act in their state for the first time?

Although many Americans began exploring and moving west of the Mississippi River in the 19th century, there is no verifiable mention of Devils Tower until 1857. The Warren Expedition, authorized by the U.S. Secretary of War and led by Lieutenant G. K. Warren, was charged with examining the Black Hills, "ascertaining everything relating to the agricultural and mineralogical resources of the country, its climatology, its topographical features, and the facilities or obstacles which these latter offer to the construction of rail or common roads."

American Indians prevented the expedition from moving north of a mountain named Inyan Kara, approximately 40 miles southwest of Devils Tower. However, the tower (known by the name Bear Lodge at the time) was seen from the top of Inyan Kara using a spyglass. A sketch map from the expedition calls the tower Mato Tipi. Warren's official map refers to it as Bears Lodge.

Geologist Ferdinand Hayden was part of the 1857 expedition and the 1859 expedition referred to as the Yellowstone Expedition. His reports and geology maps reference the tower as Bear Lodge. Twenty-three tribes have an affiliation with Devils Tower and the majority of them refer to it in some variation of Bear Lodge, with a few exceptions, such as Gray Horn Butte. The Lakota language version is Mata Tipila or Bear's Tipi.

At the end of the 1850s and for much of the 1860s the Civil War preoccupied the national interest. Still, laws were enacted, and the 1862 Homestead Act certainly had the potential to negatively impact the conservation of federal lands in the West. This act allowed citizens to claim 160 acres of land for a small filing fee if they resided on the land for five years and made improvements during that time.

After the Fort Laramie Treaty of 1868, many Plains Indians were confined to reservations. The Great Sioux Reservation included the Black Hills and was off limits to all whites. As the discovery of gold in the Black Hills was publicized, miners began to pressure the federal government for entry. An 1875 expedition of the Black Hills was ordered and among the participants was Lieutenant Colonel Richard I. Dodge of the 23rd U.S. Infantry.

Although all the official maps and geological notes from the expedition continued to use Bear Lodge, Dodge wrote a book in 1876 titled The Black Hills and used the name Devils Tower. Dodge described it as "the Indians call this shaft 'The Bad God Tower,’ a name adopted, with proper modification by our surveyors." The book was widely read by miners and homesteaders coming into the Black Hills and the name stuck in our culture. The Lakota dictionary translates, "devil/bad god/dangerous spirit" as wakanitsa (pronounced wah-KON-she-cha); "black bear" is wahanksica (pronounced wah-ON-ksee-cha), giving rise to the possibility that Dodge, or someone with him, simply mistranslated what he heard.

American Indian influence on the Black Hills began to wane as they were forced onto smaller and smaller reservations, and a major food, clothing and shelter supply — the buffalo — was hunted to near extinction. Yellowstone National Park was created in 1872 and railroad lines began to stretch westward toward the park. Devils Tower could be seen from several points along the new rail lines.

In February 1890, Charles Graham, a Wyoming resident, filed an application for homesteading on 160 acres encompassing Devils Tower. A letter from the commissioner of the General Land Office (GLO, forerunner of the Bureau of Land Management) to the District Land Office in Buffalo, Wyoming, would withhold the tower lands from settlement pending an investigation:

"From information received at this office it appears that a great national wonder locally known as the "Devils Tower" technically called the 'Bear Lodge Butte,' is situated in Sec. 7, T.53N., R.65W., to which title is being sought for speculative purposes. You will, until further order, reject any and all applications offered for filing in your office, for lands embracing any portion of Sec. 7 and 18, T.53N., R.65W., Sec. 12 and 13, T.53N., R.66W."
The GLO canceled Graham's application and claim in 1892, and Senator Francis E. Warren of Wyoming lobbied to protect the tower and neighboring Little Missouri Buttes. This resulted in creation of a 60.5-square-mile forest reserve under the Forest Reserve Act of 1891. Senator Warren wanted a higher level of protection for Devils Tower, so in 1892 he introduced a bill in the U.S. Senate to establish Devils Tower National Park. Congress took no action on the bill, and the park idea did not receive much public support.

The Antiquities Act gave the president the power to create national monuments to protect objects of historic or scientific interest with the limit that all cases were to be confined to the smallest area compatible with the proper care and management of the objects to be protected. President Roosevelt exploited the vague language in this section to proclaim Devils Tower as an object of scientific interest and a national monument of approximately 1,200 acres. If this was a stretch, just two years later, Roosevelt would use this same power to preserve 800,000 acres including the Grand Canyon.

In northeastern Wyoming there was little fanfare surrounding America's first national monument. Crook County newspapers seemed to be more interested in bringing news of the bigger world to the isolated, rural county than in discussing local matters. Papers reported on the size of the 1905 U.S. wheat crop, an all-time record as of that date. Many articles focused on the San Francisco earthquake of 1906 and rebuilding of the city. Other pages included weekly reports on the actions of the president and Congress, and reports on national political campaigns and elections. Weekly columns described interesting new inventions and how to use them.

Another weekly column, “Incidents and Anecdotes of the War,” related stories and quotes from famous participants of the Civil War. There were current updates on the treatment of African Americans in the South such as “a riot of Negro soldiers in Brownsville, Texas, after being refused service at a drinking establishment in town,” “lynching of Negroes in Salisbury, North Carolina,” and riots in Atlanta, Georgia, mostly race-based. While the newspapers seemed to be quite concerned about discrimination in the aftermath of the Civil War, there was no discussion of the ongoing discrimination toward American Indians in much of the West including the Black Hills.

Wyoming could now lay claim to the nation's first national park (Yellowstone), the first national forest (Shoshone) and the first national monument.

As for items that had a direct tie to the state or county, four million acres of vacant, unreserved land in Crook, Weston and Converse counties were available for purchase at $2.50 per acre or 160 acres for $16 under the Homestead Act. There was $40,000 dollars appropriated for a state predator bounty. The only articles mentioning Devils Tower were related to picnicking or climbing. The picnicking articles used the word “our” in describing “our Devils Tower,” indicating a sense of pride and perhaps preservation developing in the local populace. The climbing article was a description of the “second pale-face climb” of Devils Tower by Mr. Art Jobe. The numbering of this climb later proved to be inaccurate.

No mention was made of the creation of Devils Tower National Monument in the 1906 county papers. Nor has there ever been any proof that President Roosevelt attended the dedication of the national monument or ever personally visited or saw the site. Representative Frank W. Mondell from Wyoming informed Roosevelt of a fantastic geologic formation located on a federal forest reserve in northeastern Wyoming. His descriptions of the tower and surrounding area persuaded Roosevelt to establish the national monument.

Roosevelt’s Sept. 24, 1906, proclamation stated: “And, whereas, the lofty and isolated rock in the state of Wyoming, known as the Devils Tower, situated upon the public lands owned and controlled by the United States is such an extraordinary example of the effect of erosion in the higher mountains as to be a natural wonder and an object of historic and great scientific interest and it appears that the public good would be promoted by reserving this tower as a national monument with as much land as may be necessary for the proper protection thereof.”

Wyoming could now lay claim to the nation’s first national park (Yellowstone), the first national forest (Shoshone) and the first national monument. Note that there is not an apostrophe in Devils Tower, because this is the spelling in the presidential proclamation.

Since the NPS did not exist in 1906, the GLO commissioner directed the local land office and the special agent of the district to oversee the newly established monument. They were to prevent vandalism, removal of objects and unauthorized occupation of monument grounds. E. O. Fuller served as special agent with the U.S. Land Field Service, headquartered in Cheyenne, Wyoming, from 1908 to 1919, and the responsibility for protecting the monument fell to his office. Fuller's duties included land examinations and appraisals, estimating timber and securing evidence in land fraud cases.

On one occasion a Wyoming newspaper reported about souvenir hunters damaging the tower by chipping rock from it. The story was picked up by papers in New York and Washington, D.C., claiming that the giant formation was being undermined and threatened. Fears were voiced that the famous landmark might soon be destroyed. The GLO commissioner sent Fuller instructions to place warning signs at the monument asking people not to harm the tower. Fuller posted the signs and visited the monument occasionally, hoping to prevent people from destroying trees and damaging the natural features of the area. Even today, removal of rocks from around the base of the tower continues to be a resource threat.
As with most national parks and monuments of the time, Devils Tower received little management or operational oversight. Even when the NPS was created in 1916, relatively little changed at the tower. The first serviceable road was built in 1917. Fuller resigned his GLO position in 1919, leaving the tower without a caretaker. It was not until 1921 that John M. Thorn, a Crook County commissioner, was named the monument’s first custodian at a starting pay of $12 a year. The NPS constructed a three-sided, roofed structure in 1922 to shelter visitors from the weather; it was more often used by trespass livestock. To accommodate increasing visitation and automobiles a bridge was built across the Belle Fourche River in 1928.

Today the tower has become one of the premier rock-climbing destinations in North America. To many Americans the tower is best known as the centerpiece of the 1977 film, Close Encounters of the Third Kind. Scenes were filmed inside the monument during a 12-day period in May 1976. Pre-movie release visitation in 1977 was 156,293. Post-movie release visitation in 1978 was 272,617, a 74 percent increase.

In contemporary NPS circles Devils Tower is often discussed in the context of a conflict between recreational climbing and protection of American Indian sacred sites. Although this conflict reached federal court in the 1990s, the resolution of a voluntary climbing ban during June is still tenuous between the NPS, climbers, American Indians, and northeast Wyoming residents and politicians.

As Devils Tower has entered its centennial year, America’s first national monument has many events planned in and adjacent to the monument: an Old Settlers’ Picnic on June 18, a Fourth of July celebration, a Cowboy Weekend on July 22 and 23, an American Indian weekend on Aug. 25-27 and a Commemoration Weekend celebration on Sept. 22-24. These events highlight a year-long celebration open to all visitors and include a special invitation to all previous employees at the monument.

With this first monument declaration Roosevelt was already extending the boundaries of expectations. The selection of the tower for a monument nationalized the Antiquities Act and broadened the spectrum of potential sites for future presidents. By remaining faithful to Congress’ expectations that monument sites would be fairly small, Roosevelt successfully curtailed any lasting disagreement about his first choice. Designating the tower as a monument highlighted the flexibility of the act.

Further aiding Roosevelt in his first use of the Antiquities Act was the support and consultation of a home-state congressman. Representative Mondell defended the site in Congress and Wyoming, and as a member of the House Committee on Public Lands he could funnel necessary appropriations to the monument. Under the 1906 system parks only received monies when Congress got around to providing it or when sufficient and well-placed pressure was applied. Having a congressional sponsor in Mondell ensured a chance of success for the monument.

By accepting Devils Tower as a monument outside of the Southwest, opponents of parts of the Antiquities Act lost the battle. If the tower could be accepted as a scientific interest, then other such monuments would follow. By honoring the president’s ability and discretion to name scientific monuments, it would follow that the president had the discretion to declare the monument as large or as small as may be necessary. If the president had discretion on the scientific interest, under the act he must have discretion on the size. All of these advances were achieved within just four months of the passage of the act.

Scott McElween is a 24-year career employee of the National Park Service and a 24-year member of ANPR. He has served twice on ANPR's board of directors. A substantial portion of this article is reprinted from Silent Witness, a draft manuscript of Devils Tower National Monument, by Jeanne Rogers.
A Whole Generation of Dedicated Effort

History of the Antiquities Act of 1906

By Francis P. McManamon

A whole generation of dedicated effort..." That is how historian Ronald E. Lee summarized the activities and efforts that led to the enactment of the Antiquities Act of 1906. Lee begins his history in 1879, the beginning of the movement that resulted in "...the Antiquities Act...the first national historic preservation policy for the United States."

Curiosity about and initial descriptions of the archeological remains in the United States began about a century earlier, but expanded during the 19th century as the remains of ancient architecture in the Mississippi and Ohio valleys and in southeastern states were encountered by settlers pushing West. By the late 1870s, much of the interest in American archeological sites was focused on the Southwest. Exploring and scientific expeditions had been reporting about ancient sites since the 1840s.

During the 1890s two major public exhibitions, the World's Columbian Exposition in Chicago and the Louisiana Purchase Exposition in St. Louis, exposed Americans and international visitors to the nation's antiquities. Museums in large cities throughout the country featured American Indian antiquities in their displays. The growing popular appeal of American archeology was accompanied by a commercial demand for authentic prehistoric antiquities.

Some who visited the ancient ruins also took artifacts for personal use or commercial sale. Building stone, wood framing and roof beams often were removed from ancient structures for use by settlers. Investigators from newly established natural history museums or archeological organizations excavated at the ancient sites. Typically they removed artifacts for their institutions. Investigators also reported on the condition of prominent ruins, noting the destruction that was occurring. Adolph Bandelier's 1881 report on the looting and destruction of the ruins and archeological deposits at Pecos, New Mexico, was used during discussions and debate in the Senate when the issue of government action to protect archeological sites was raised.

The legislative and political concern about the preservation and protection of archeological sites on public lands was raised in the 1882 Congress by Senator George F. Hoar of Massachusetts. Debates between those who favored conservation or preservation of these sites and those who favored commercial uses of public lands dominated the issue. It was acknowledged generally that looting and vandalism were occurring; credible reports describing such activities occurred with increasing frequency. Detractors of the effort first argued that the government couldn't possibly protect all of these resources. Some became alarmed by the creation of federal forest reserves, an authority given to the president by an 1891 amendment to the General Land Revision Act. By 1901 presidents had used this authority to create forest reserves totaling more than 48 million acres and limiting development on these lands. These legislators refused to allow more areas of the public domain to be set aside for conservation or preservation, reducing the land available for private development and economic activity. Eventually, political support to stop the destruction of archeological sites in the Southwest and wholesale removal of artifacts overcame these objections. Efforts to protect specific archeological sites, such as Montezuma Castle, Inscription Rock, cliff dwellings on Mesa Verde and the Pajarito Plateau, and Chaco Canyon, became more frequent and widespread.

Officials of the Department of the Interior (DOI), in particular the General Land Office (GLO), played important roles and actively shaped and promoted archeological preservation and protection legislation. In the Southwest, GLO field agents played key roles by actively reporting on the looting of sites, emphasizing the need to protect sites, and recommending specific areas for special protection.

Perhaps the earliest activity of the DOI to care for antiquities was at Casa Grande Ruin in Arizona following the establishment of a federal reservation by executive order on June 20, 1892. Subsequent appropriations to the DOI were provided for repair and protection of the site. Conservation and documentation of the structures were carried out in 1891 and 1892 by Cosmos Mindeleff; in 1895 by W.J. McGee; and, from 1906 through 1908 by Jesse Fewkes.

DOI officials also acted to compile information about archeological sites in the Southwest and the need for their protection.

An amalgamation of early photographs, titled "Stages of Casa Grande," shows the progression from exposed ruin, bottom, to the current ruins shelter, top.
GLO Commissioner W. A. Richards moved to provide an official report on the situation in the Southwest. For information, Richards turned to Edgar Lee Hewett, an archeologist from New Mexico, who later played a central role in the passage of the Antiquities Act. He asked him to prepare a report on the southwestern archeological situation. Hewett submitted the report in September 1904. The report, 

"... for the first time ... provided the General Land Office and eventually Congress with a comprehensive review of all the Indian antiquities located on federal lands in four key states.... Better than any other single document, Hewett's memorandum clearly foreshadowed, in remarkable detail, the system of archaeological national monuments established in the Southwest following passage of the Antiquities Act."

Before the end of the year, Richards had Hewett's report printed as an official GLO report, entitled "Circular Relating to Historic and Prehistoric Ruins of the Southwest and Their Preservation." This report described in detail the activities by DOI bureaus related to the preservation of antiquities. By publishing this information, officials identified the department as having expertise on the topic of American antiquities and laid out the steps needed for their protection and preservation. Richards' intention in having the report prepared and published may well have been to emphasize to congressional supporters that the DOI was the proper government agency — as opposed to, for example, the Smithsonian Institution — to be assigned this responsibility in any legislation considered by Congress.

Following establishment of the Casa Grande Reservation, the GLO used administrative actions to protect other archeological sites by removing them from lands available for homesteading or other kinds of private uses. A list of these sites was sent in a letter from Richards to Hewett on Oct. 5, 1904, and was printed as one of the addenda to the DOI report:

1. In New Mexico, the Pajarito cliff dwellers' region, the Jemez cliff dwellers' region, and the tract known as El Morro,
2. In Colorado, the Mesa Verde cliff dwellers' region.
3. In Arizona, the tract containing the petrified forest and the greater portion of the Rio Verde region, containing among other sites Montezuma Castle.

Among the sites listed are three of the four national monuments proclaimed by President Roosevelt in 1906: El Morro, Petrified Forest and Montezuma Castle. Also on this list is Mesa Verde, a portion of which was established as a national park by statute in June 1906, shortly after the Antiquities Act was passed.

Beginning in 1900 efforts to preserve archeological sites on public lands took a more practical tack. Advocates began producing draft bills to accomplish their aims and started working directly with legislators to submit these in Congress.

The Enacted Law

Between 1900, when five bills related to American antiquities were introduced in Congress, and final passage of the Antiquities Act in 1906, different versions of the act were debated. Whether or not to give the president authority to create national parks or set aside public lands as national monuments, and if so, how large these parks or monuments should be, were major topics. Another matter of concern was the role of the Smithsonian Institution: should it be the agency that preserved archeological sites protected by the act, or should the land-managing agencies, Interior, Agriculture and War, have this responsibility?

In its final form, the Antiquities Act has four sections. The first established that unapproved removal of artifacts and unauthorized excavation of archeological sites on public land is prohibited. The final section of the law, Section 4, directs the secretaries of the departments to prepare uniform regulations to carry out the act. The middle two sections are short, but in their compact text convey substantial authority and meaning.

Section 2 gives the president the authority to set aside for protection "historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the government of the United States..." These protected areas were designated as "national monuments" and the federal agencies assigned to oversee them were required to afford proper care and management.

Prior to the Antiquities Act, specific areas had been set aside as parks or reserves; for example, Hot Springs, Arkansas (1832), Yellowstone National Park (1872), Sequoia National Park (1890), Yosemite National Park (1890), and Casa Grande Ruin, Arizona (1892). A number of national military parks of important Civil War battle sites were established during the last half of the 19th century. Each of these parks or reserves required an act of Congress and presidential approval. Section 2 of the Antiquities Act made the establishment of national monuments an administrative action by the president independent of congressional action.

During his presidency, Theodore Roosevelt, who signed the Antiquities Act into law, proclaimed these national monuments: Devils Tower, El Morro, Montezuma Castle, Petrified Forest, Chaco Canyon, Cinder Cone, Lassen Peak, Gila Cliff Dwellings, Tonto, Muir Woods, Grand Canyon, Pinnacles, Jewel Cave, Natural Bridges, Lewis and Clark Cavern, Wheeler and Mount Olympus.

Presidents Taft, Wilson, Harding, Coolidge, Hoover, Franklin D. Roosevelt, Truman, Eisenhower, Kennedy, Johnson, Carter and Clinton all established national monuments by executive proclamation. On Feb. 27, 2006, President George W. Bush used his Antiquities Act authority to proclaim the newest national monument, the African Burial Ground in New York City.

Section 3 of the act establishes fundamental policies about archeological resources. First, the officials responsible for managing the public lands, the secretaries of Agriculture, Interior and War, are authorized to issue permits allowing archeological investigations on these lands. The permits for archeological investigations are to be issued only to institutions that are "properly qualified to conduct such examinations, excavation, or gathering..." Finally, the permitted studies are to be for the purpose of "increasing...knowledge..." and the artifacts collected are for "...permanent preservation in public museums." The basic policies embodied in this short section provide the foundation for how archeological and other cultural resources are treated today. The law's text establishes that the primary values of archeological resources are the commemorative associations and the
educational and scientific information we can draw from them with proper study.

We have become so familiar with these basic policies about the public interest that we sometimes forget what might have been. What if, for example, the purpose of these permitted excavations and gatherings had been to collect items for sale to the highest bidder, with some portion of the proceeds going into the government's coffers? What if the permits had been based on which institution could provide the largest commercial return from the excavations or gatherings? What if the main purpose of the excavations had remained the collection of objects with little concern about context, archaeological recording, analysis or interpretation?

A Century of Protection

In the century since the Antiquities Act became law, the means of preserving and interpreting America's archaeology and other historic and cultural resources has expanded and improved, in particular through the Historic Sites Act and the National Historic Preservation Act. Enforcement and protection aspects of the Antiquities Act have been improved upon by the Archaeological Resources Protection Act and its amendments in 1988. The Antiquities Act is important for many reasons, both specific and general. Specifically, it asserted broad and general public interest in, and control over, archeological resources on federal and Indian lands. This assertion of interest and concern is the basis for public agency efforts to protect archeological sites from looting and vandalism. The act also permitted the protection and preservation of specific areas important for their archeological, historical, and scientific resources. The act stands as a fundamental achievement in conservation and preservation efforts in the United States.

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A whole generation of dedicated effort by scholars, citizens and members of Congress... More important, this generation, through its explorations, publications, exhibits, and other activities, awakened the American people to a lasting consciousness of the value of American antiquities, prehistoric and historic. This public understanding, achieved only after persistent effort in the face of much ignorance, vandalism, and indifference, was a necessary foundation for many subsequent conservation achievements. Among them were several of great importance to the future National Park Service, including the establishment of many national monuments, development of a substantial educational program for visitors, and eventually the execution of a far-reaching nationwide program to salvage irreplaceable archaeological objects threatened by inundation or destruction by dams and other public works and their preservation for the American people.


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A Lasting Legacy of Determined Americans

By Craig Obey
National Parks Conservation Association

On Dec. 2, 1980, Senators Gaylord Nelson, Ted Stevens, Scoop Jackson and other notable public figures gathered together as President Jimmy Carter signed into law one of the greatest conservation achievements of the century — the Alaska National Interest Lands Conservation Act (ANILCA). With the stroke of a pen, the outgoing president more than doubled the size of the National Park System, created 10 new national parks, and protected millions of additional acres of rugged Alaska wildlands.

The pen President Carter used to sign ANILCA was not the first he had put to paper to protect Alaska. Two years earlier, using the power granted to every president under the Antiquities Act since Teddy Roosevelt signed it in 1906, Carter elevated more than 50 million federally managed acres in Alaska to national monument status. That single action helped jumpstart a stalled legislative effort to pass ANILCA — an action without which the December signing ceremony might never have taken place.

Much of the law Congress passes can be categorized in two ways: laws that accomplish specific ends and laws that create opportunities and possibilities. When Congress established Yellowstone National Park in 1872, it accomplished a specific and profound end — the creation of the world’s first national park. But it wasn’t until 1906 that Congress asserted the broad legal authority to protect natural and cultural resources within America’s backyard — the public lands owned by all the people.

Yellowstone established the national park idea, but the Antiquities Act directly facilitated the protection of more than 25 percent of the National Park System, including spectacular national treasures like the Grand Canyon, Katmai, Petrified Forest, Dinosaur, Zion, Joshua Tree, Wrangell-St. Elias and Carlsbad Caverns. In addition to their historic ties to significant philanthropic generosity, Acadia and Grand Teton national parks both have been protected in part through the Antiquities Act. And the act has been used to protect cultural treasures ranging from Chaco Canyon to the C&O Canal to the Statue of Liberty. In 2005, units of the National Park System protected in whole or in part through the Antiquities Act received more than 45 million visitors, nearly one out of every six national park visits.

Like so many important legislative enactments, most people have never heard of the Antiquities Act. Few have any idea that, but for a handful of archeologists and other committed Americans who labored a quarter century until a bill would actually land on President

Denali National Park and Preserve, Yenta Glacier (Mount Russell icefall entering from left) from the south. Image taken in 1966 by Norman Herkenham.
Theodore Roosevelt’s desk, our National Park System could look much different. Those archeologists became alarmed during the late 1800s about rampant looting and vandalism that were degrading prehistoric, historic and scientifically important landmarks. Their movement led Congress in 1904 to authorize President Benjamin Harrison to reserve Casa Grande ruin in Arizona, followed two years later by enactment of the Antiquities Act.

The Antiquities Act established the first national legal framework for the protection of archeological relics and for the care of archeological sites and collections, as well as the information gleaned from the study of antiquities on public lands. The act also authorizes the president “in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the government of the United States to be national monuments…”

As Theodore Roosevelt IV testified before Congress in 1998, “With the exception of the Organic Act of 1916, no law has had more influence over the development of the modern National Park System and our other public lands than the Antiquities Act.” It has been used more than 100 times by a bipartisan group of 14 presidents. Many, but not all, of the national monuments designated through the act have become part of the National Park System.

The Antiquities Act stands in the company of the National Park Service Organic Act and the Wilderness Act as one of our nation’s most powerful tools for protecting our special places. Without them, the National Park System as we know it today would not exist, and many of America’s most special places might not have been protected for future generations. The unique role of the Antiquities Act makes possible the swift protection of federal lands from looming threats, at times when Congress fails or cannot move quickly enough. This makes the existence of this potent law a beginning, not an end. It means we not only must put it to use, but also that every generation must be vigilant stewards over these places that have been saved for our children.

One of the first national parks to be protected through the Antiquities Act was Petrified Forest National Monument — now Petrified Forest National Park. When John Muir visited this stunning landscape in 1903, he witnessed a national treasure under threat, subject to commercial looting and rampant vandalism. At that time, the Santa Fe railroad was carting away petrified wood for sale to tourists, vandals were dynamiting petrified logs to obtain their “crystallized inners,” and one mill was even pulverizing petrified logs for use as abrasives.

When Muir persuaded President Roosevelt to protect Petrified Forest, he had little idea about the magnitude of what he was saving. Since 1906 Petrified Forest has been expanded six times — most recently in 2004. While Muir was enchanted by the beautiful Painted Desert and the petrified remains of the ancient Mesozoic forest, today we know that Petrified Forest is also the world’s premier repository of Triassic-era fossils, and that the ancient forest Muir found so compelling was also home to the precursors to the dinosaurs; some paleontologists have even described Petrified Forest as Triassic Park. We also know that Petrified Forest holds the secrets of the earliest human societies in what is now the American Southwest. Muir and Roosevelt knew what they were saving was special. Little did they know how important it would turn out to be.

If the national parks are the streets, towns and communities around which our nation grew up, the Antiquities Act is the mortar for much of their foundation. Yet, the same things that make the act such a powerful tool also have led periodically to efforts to weaken or repeal it. Presidents often have exercised their power to declare lands of the United States national monuments when those places were threatened with degradation or when the priceless antiquities there faced potential annihilation. That means that the exercise of Antiquities Act authority periodically has made some powerful people angry, because it stymied their efforts at commercial exploitation of our national inheritance. At times, exercise of the act has also produced local resentments near areas presidents have protected, though these situations have been the exception.

Equally true is that presidents generally have exercised their use of the Antiquities Act sparingly. Throughout the last century, presidents have issued Antiquities Act declarations, on average, once per year. And despite occasional controversy, Congress has only repealed 5,000 acres out of the 70 million acres protected by 14 presidents. Congress has done much more to validate the decisions these presidents have made through subsequent expansions and re-designations as national parks.

Few things worth doing through federal legislation are accomplished quickly. Conversely, it is worth the time and effort it takes to enact laws like the Antiquities Act, which continually enable us to build a legacy for future generations. One wonders whether the current generation would have had the attention span to see the Antiquities Act through to completion. It took a generation before the small group of archaeologists who fought to establish the Antiquities Act would see Teddy Roosevelt sign it into law. It took another 10 years before Congress passed the National Park Service Organic Act.

Yet, the most recent expansion of Petrified Forest National Park also took a decade to accomplish. And the lesson of each of these accomplishments is that, in our republic, people make a difference. In each case, a small group of American citizens banded together and built a lasting legacy that enriches our national inheritance. Ultimately, the government of the United States bent to the will of a handful of determined people with a vision. As we look forward to the next 100 years of the Antiquities Act, that surely is something to celebrate.}

Craig Obey is vice president for government affairs with the National Parks Conservation Association. He shepherded the recent expansion of Petrified Forest NP through Congress. Founded in 1919, NPCA’s mission is to protect and enhance the national parks for future generations.

Images courtesy of National Park Service Historic Photograph Collection
Cultural Resource Protection
Resulting from the Antiquities Act

By Adrienne Anderson and Francis P. McManamon

The very name, Antiquities Act, conjures thoughts of cultural resource protection. While passage of the act long preceded the words "cultural resource preservation," its intent was just that. On June 8, 1906, Congress laid out two basic tenets that have become the foundation for our national heritage preservation and cultural resource protection values.

1. establishment of national monuments to protect "...historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest. ..." specified in Section 2, and
2. preservation of American antiquities, detailed in Sections 1 and 3.

The most significant aspect is the confirmation that the nation's objects of antiquity and historic or prehistoric ruins and monuments are important to understanding and appreciating the countries' cultural heritage. It asserts a public interest in such resources on federal land and directs federal agencies to care for that interest. In this, it built upon resource protection values that had been laid out in the 1900 Lacey Act. (Representative John Lacey of Iowa was also a sponsor of the Antiquities Act legislation.)

The first section of the Antiquities Act acknowledges that "cultural resources" have value to the nation as a whole and that their desecration is a violation of the public conscience. The beliefs laid out in the act are the foundation of all subsequent cultural and natural resource protection legislation.

Establishing National Monuments

In 1906 the concept of setting aside areas for the American public wasn't entirely new. A number of significant landmarks had been protected, many simply set aside from settlement under the Homestead Act. (See article on page 6.)

To the initiators of the Antiquities Act, the idea of protection in perpetuity seemed an appropriate manner through which to deter the growing threats, not only to objects that were disappearing into foreign collections, but to landmarks and other important areas that were being vandalized. It is not surprising that only three weeks after passage of the act, Platt National Park (now Chickasaw National Recreation Area) and Mesa Verde National Park were established. These areas were set aside, not under the Antiquities Act, but as a result of the same ground swell of feeling of urgency toward protecting America's unique and disappearing treasures.

Within the first 10 years of the Antiquities Act, 35 national monuments were established—nine have subsequently been legislated as national parks (see table below). The first monument, Devils Tower, was set aside Sept. 24, 1906, as a geologic wonder (see page 3). However, it is now understood that this 864-foot spectacular tower of columnar basalt plays an important role in the heritage and traditional values of a large number of Native Americans.

By 1916, monuments and other areas that had been set aside for protection were so numerous that Congress and the Woodrow Wilson administration recognized the need for a single public agency to manage these places. The National Park Service was created, in part, as an indirect result of the 1906 Antiquities Act. Ronald Lee (1970) stated that his discourse on the Antiquities Act had been prepared to fill a gap in knowledge of one of the foundation stones of the National Park Service." He hoped that it "would also throw light on early participation by the government of the United States in some aspects of historic preservation in America." Nearly a quarter of the units in today's system of parks sprang in whole or part from the Antiquities Act.

Preserving American Antiquities

Section 1 of the act confirms that objects of antiquity have permanent significance to the American public and gives federal agencies responsibility for enforcing this value. Wanton destruction, rampant vandalism and commercialization of artifacts and structures believed to be wonders of the past and part of the nation's heritage led to passage of the act. This destruction and loss, which was particularly conspicuous in the American Southwest, were the major impetus behind the public outrage and cry for protection legislation. As a result, the clear intent of the act's authors was to stop this activity by specifying fines...
and/or imprisonment for violations. Enforcement has been difficult, and it is an ongoing source of frustration for federal managers and others who witness the continuing loss of priceless remains of the past.

Section 3 strengthens this protection by professionalizing archeological excavation and collection. (See article, page 6.) The legality of collecting and excavating cultural resources is established through acquisition of a federal archeological permit. This was believed to be so important to curbing destructive and meaningless collection of prehistoric artifacts that 13 of the 17 sections of the Uniform Rules and Regulations address permitting. Non-permitted collection or excavation or damage became illegal. From the time federal archeological permits were first issued until 1984, at least 3,208 permits were issued for research collection and/or excavation. Today’s federal archeological permits, whether issued under the Antiquities Act or the Archeological Resources Protection Act, still address the same criteria that were laid out in the Antiquities Act regulations. This concept of permits as a means of controlling certain activities or events has evolved into the complex of research permits, special use permits, collecting permits, filming permits and many others relied on today as tools for effective management.

The Antiquities Act was not the earliest federal guidance on protection of American antiquities. Superintendent P. W. Norris of Yellowstone had worked for the Bureau of American Ethnology. It was only natural that he was cognizant of the importance of prehistoric objects that might be found in his park. His 1881 annual report to Congress reiterates a “staff directive,” which may be the earliest federal “policy” on protection of American antiquities. (See box below.)

Not surprisingly, these “objects of interest” are part of the collections of the Smithsonian Institution in Washington. (See image at lower right). Clearly, significant objects have long been considered an important part of understanding history and prehistory and worthy of protection.

Today the United States government holds the largest museum collection in the world, with millions of items on display. The Historic Sites Act of 1935 authorized the NPS to establish and maintain museums in conjunction with preserving historic and prehistoric sites, buildings and other properties of significance. The 1955 Museums Properties Management Act authorized the NPS to accept donations or bequests of museum properties, purchase them from donated funds, exchange, transfer, convey or destroy them, and receive and grant museum loans. Additional support stems from Ned Burns’ Field Manual for Museums (1941). This contained policies, procedures and guidance on proper maintenance and museum operations and was eventually superseded by Ralph Lewis’ Manual for Museums (1976). This manual has evolved into today’s NPS Museum Handbook, providing detailed information designed to protect the nation’s significant objects and archives.

The ingenious Antiquities Act laid out basic tenets that are the foundation of today’s complex of institutions, programs, activities and beliefs that focus on the value of our heritage resources and their protection. As a result of the one-page, four-section statute, there are a multitude of regulations, policies, guidelines, technical manuals, procedural guidance and standard operating procedures designed to protect both the tangible and intangible aspects of our nation’s heritage. The subtle ramifications and interpretations of words such as public museum, object of antiquity, properly qualified institutions and permits, have had a monumental impact upon our view of the nation’s past.

Office of the Superintendent, Mammoth Hot Springs, Yellowstone National Park,
July 1, 1881

Mountain Comrades:

Organized as we are for the protection and improvement of the park, every member is expected to faithfully obey all the recently published rules and regulations for its management and to vigilantly assist in enforcing their observations by all persons visiting it.

While labor in the construction of roads and bridle-paths will be our main object, still, with thrilling care and effort, much valuable knowledge may be obtained of the regions visited, especially by the hunters and scouts, all of which, including the discovery of mountain passes, geysers and other hot springs, falls and fossil forests, are to be promptly reported to the leader of each party.

As all civilized nations are now actively pushing explorations and researches for evidences of prehistoric peoples, careful scrutiny is required of all material handled in excavations; and all arrow, spear or lance heads, stone axes and knives, or other weapon, utensils or ornaments; in short, all such objects of interest are to be regularly collected and turned over daily to the officer in charge of each party, for transmittal to the National Museum in Washington.

P.W. Norris, Superintendent of Yellowstone National Park

Adrienne Anderson, an archeologist with the Intermountain Region, began her National Park Service career at the Midwest Archeological Center in 1972. She served as regional archeologist for the Rocky Mountain Region from 1978 until the 1995 reorganization when the region was combined with parts of the Southwest and Western regions into the Intermountain Region. Then she became the Cultural Resource Program leader for the Colorado Plateau cluster of parks. She received her bachelor’s and master’s degree in anthropology from the University of Arizona and a Ph.D. in anthropology from the University of Colorado at Denver.

Ceramic and gourd vessels illegally collected from public land in 1963 and recently repatriated to Canyonlands National Park.

Pecked stone ball collected at the direction of Philetus W. Norris, Yellowstone superintendent.
Natural Resource Preservation
Still doing it the old fashioned way
NATIONAL NATURAL MONUMENTS AND THE ANTIQUITIES ACT

By Bill Supernaug
Retired

At the dawn of the 20th century, conservation-minded citizens and lawmakers became increasingly distressed by the wanton looting of prehistoric sites in the Southwest. One in particular was Walnut Canyon’s cliff houses east of Flagstaff, Arizona, and accessible from the newly constructed Atlantic and Pacific Railroad. Rail excursions would stop to give passengers a chance to participate in a little recreational pot hunting. Most of the obvious artifacts were removed in the 1880s by pot hunters, some of whom even used dynamite to allow more light when they searched for relics. These flagrant practices of destruction and removal by souvenir seekers eventually gave impetus to passage of the Antiquities Act. Ironically, although the Walnut Canyon ruins were afforded initial protection by inclusion in the San Francisco Mountain Forest Reserve in 1904 they were not to receive additional federal protection until Woodrow Wilson proclaimed them a national monument in 1915. In testimony to the convoluted history of the nation’s conservation legacy, the Forest Reserves established under the Interior Department after 1893 were transferred to the Agriculture Department in 1905 under the administration of the Forest Service. Walnut Canyon and other Agriculture Department monuments were not transferred to the National Park Service until 1933.

The language of the Antiquities Act provides pretty clear direction for creating a protected landscape for scientific purposes. It authorized presidents to create by proclamation “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest” as national monuments — “the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.”

The bill’s sponsors originally expected that national monuments would be proclaimed to protect prehistoric cultural features, or antiquities, in the Southwest and that they would be small. However, the reference in the Antiquities Act to “objects of . . . scientific interest” empowered President Theodore Roosevelt to make Devils Tower in Wyoming the first national monument three months after passage of the act. (See page 3.)

Among the next three monuments he proclaimed in 1906 were another natural feature, Petrified Forest in Arizona, where widespread removal of fossilized wood by gem collectors was depleting the unparalleled concentration of opalized tree trunks.

From its first application the president’s authority to establish national monuments has been used as an important tool in the nation’s effort to set aside special places including those having significant natural resource values. Without it, millions of acres of lands now afforded protection would have been looted, logged, developed or flooded, and the resource values that brought them to the nation’s attention would have been lost.

President Roosevelt continued to interpret the provisions of the Antiquities Act broadly. In 1908 he again used the act to proclaim more than 800,000 acres of the Grand Canyon as a national monument — a very big “object of scientific interest” indeed. He went on to proclaim the first 18 national monuments, only half of which were initially administered by the National Park Service. A surprising twist to the story is that the 1908 Grand Canyon National Monument, originally set aside in President Harrison’s 1893 Forest Reserve proclamation and later located within a national forest, remained under the jurisdiction of the Forest Service until Congress proclaimed it a national park in 1919.

Alaska’s Katmai National Monument, proclaimed in 1918 by President Woodrow Wilson, comprised more than a million acres. Katmai was enlarged to nearly 2.8 million acres by subsequent Antiquities Act proclamations and for many years was the largest unit in the National Park System. Petrified Forest, Grand Canyon and Katmai were among the many national monuments that Congress later converted to national parks.

Monuments having predominate natural resources came to be regarded as smaller — but often neglected — versions of the national parks ideal but with a single thematic emphasis. Joshua Tree, Saguaro and Death Valley national monuments are examples of monument designations that set aside substantial — though still fragmented — ecological landscapes designed to protect unique vegetation or geologic landforms. It is important to note that each of these initial designations was subsequently added onto and ultimately redesignated by Congress as a national park.

Perhaps surprisingly in today’s political environment, there was no significant congressional opposition to this expansive use of the Antiquities Act in Arizona and Alaska. Substantial opposition did not materialize until 1943, when President Franklin D. Roosevelt proclaimed Jackson Hole National Monument in Wyoming. He did this to accept a donation of lands acquired by John D. Rockefeller Jr., for addition to Grand Teton National Park, after Congress had declined to authorize this park expansion.

Roosevelt’s proclamation unleashed a storm of criticism about use of the Antiquities Act to circumvent Congress. A bill abolishing Jackson Hole National Monument passed Congress but was vetoed by Roosevelt, and congressional and court challenges to the proclamation authority were mounted. In 1950 Congress finally incorporated most of the monument into Grand Teton National Park, but the act also barred further use of the proclamation authority in Wyoming.

Monument designations have been used as political wedges to force the adoption of lands into the National Park System. Parks called for in the 1971 Alaska Native Claims Settlement Act got tied up in governmental and interbureau politics. Facing congressional and departmental deadlines, the NPS’s planning efforts bogged down when Congress adjourned without passing an Alaskan National Parks Bill.

Frustrated by political opposition to establishing a network of national park administered lands in our 49th state, Secretary of the Interior Cecil Andrus recommended to President Jimmy Carter that the Antiquities Act authority was the only way to accomplish the goal of setting aside large tracts of Alaska’s wildlands while they were still relatively unspoiled. The ensuing 1978 Alaskan Monument Proclamation totaled 41 million acres of Alaska in 17 mostly new areas. It also added lands to existing units. It became the largest single land protection effort — ever.

Congress passed a revised version of the bill in 1980 incorporating most of these national monuments into national parks and preserves, but the act also curtailed further use of the proclamation authority in Alaska.

The proclamation authority was not used again until 1996, when Secretary of the Interior Bruce Babbitt successfully convinced President Bill Clinton to proclaim the Grand Staircase-
Escalante National Monument in Utah. A series of southwestern monuments followed up to the final days of the Clinton administration but, bowing to some of the political realities of the day, administrative control of these new monuments was largely given to the Bureau of Land Management and the Forest Service. This protectionist move was widely unpopular in Utah, and bills were introduced to further restrict the president’s authority. To date none have been enacted.

The national monuments created by President Clinton are not managed by the National Park Service. While remaining controversial, this action was an attempt to avoid the criticism of a “lock up” by substituting the more relaxed public use and resource utilization policies of these public land agencies for the restrictive and more preservation-oriented policies of the NPS. For a full listing of the national monuments that remain outside the national park system, consult the appendix below.

As the National Park Service witnesses the 100th anniversary of the Antiquities Act and approaches its own century mark in another decade, it is time to contemplate the second century of the NPS and the system of parks it administers. What better legacy could the Congress give to the American people than to once again consolidate administration of the national monuments under the National Park Service? The Congress saw fit to do so in 1933 and it would be a fitting tribute to these richly endowed resource-based monuments to do so again.

Bill Supernaugh retired from Badlands in 2005 after more than 39 years of federal service. He now resides in Sulphur, Oklahoma, and can be found volunteering at Chickasaw NMA when not on an international assignment for the Department of the Interior or motorcycling through the Midwest.

Appendix

National monuments under the administrative jurisdiction of federal bureaus other than the National Park Service:

**U.S. Forest Service**
- Misty Fjords National Monument, AK (1978) 2,294,343 acres
- Admiralty Island National Monument, AK (1978) 955,000 acres
- Mount St. Helens National Volcanic Monument, WA (1982) 110,000 acres
- Newberry National Volcanic Monument, OR (1990) 55,500 acres
- Giant Sequoia National Monument, CA (2000) 328,000 acres

**Bureau of Land Management**
- Grand Staircase-Escalante National Monument, UT (1996) 1,870,800 acres
- Agua Fria National Monument, AZ (2000) 71,100 acres
- Sonoran Desert National Monument, AZ (2000) 486,603 acres
- Vermilion Cliffs National Monument, AZ (2000) 280,324 acres
- California Coastal National Monument, CA (2000) 883 acres
- Carrizo Plain National Monument, CA (2001) 204,107 acres
- Santa Rosa and San Jacinto Mountains National Monument, CA (2000) 86,400 acres
- Canyons of the Ancients National Monument, CO (2000), 163,892 acres
- Craters of the Moon National Monument, ID (2000) 271,847 acres (also NPS unit)
- Pompeys Pillar National Monument, MT (2001) 51 acres
- Upper Missouri River Breaks National Monument, MT (2001) 374,976 acres
- Kasha-Katuwe Tent Rocks National Monument, NM (2001) 4,114 acres
- Cascade-Siskiyou National Monument, OR (2000) 52,947 acres

**United States Fish and Wildlife Service**
- Hanford Reach National Monument, WA (June 2000) 195,000 acres

Like Father, Like Son

The Antiquities Act’s Offspring in New Mexico

By Ben Moffett
Retired

The New Mexico monument system was founded by state legislation, the language of which is almost identical to that in the Antiquities Act of 1906 that provided authority by the president to designate federal monuments. Both the federal and state legislation were written in large part by archeologist and New Mexican Dr. Edgar Lee Hewett. Among other accomplishments, he was president of New Mexico Highlands University and a champion of Mesa Verde National Park, shepherding legislation creating it through Congress in 1906.

In addition, Hewett established the Museum of New Mexico that included the four Santa Fe museums and the monument system. New Mexico’s state monument system has “graduated” some of its units to become units of the National Park System. The first to be given NPS status was Pecos State Monument, which was transferred to federal care in 1965 and since has been elevated to a national historical park. Glorieta State Monument became part of Glorieta National Battlefield, a unit of Pecos, in 1990.

Abo, Quarai and Gran Quivira state monuments became the core of what is today Salinas Pueblo Missions National Monument (designated in 1988).

Ben Moffett, a native New Mexican, is retired from the NPS. He was the longtime public information officer for the NPS Southwest and Rocky Mountain regions.
The Antiquities Act has served an important role in the establishment and protection of paleontological sites on federal lands. Despite conflicting interpretations of whether Congress intended the phrase "objects of antiquity" to include paleontological resources, the act served for nearly 75 years as the primary, if not only, authority for the protection and permitting of fossils on public lands. The Antiquities Act was used to protect a number of significant paleontological localities through the establishment of national monuments. Since 1906, the administrative and legislative histories of the act, combined with a number of solicitor's opinions, changed the way federal agencies have interpreted the Antiquities Act and the phrase "objects of antiquity" as it relates to fossils.

History
During the late 19th and early 20th centuries, the looting of archeological sites in the American Southwest became widespread. Similarly, intensive collecting of fossils, such as petrified wood from the Painted Desert of Arizona, was a growing problem during this same period.

Congressman John Fletcher Lacey of Iowa had a great interest in the preservation of sites, including a number of attempts to establish the Petrified Forest in Arizona as a federal park.

Environmental historian Hal Rothman has written that the Antiquities Act is the "...most important piece of preservation legislation ever enacted by the United States government." Rothman further states, "...in practice the act became the cornerstone of preservation in the federal system." (See articles in this issue for details on provisions of the act.)

Some of the units of the National Park Service, which are notably recognized for their fossil resources, were originally established through the presidential proclamation authority of the Antiquities Act. The term "scientific interest" in Section 2 of the act was applied to the establishment of monuments based on paleontological resources.

The first use of the Antiquities Act to preserve paleontological resources occurred six months after Congress passed the legislation. On Dec. 8, 1906, President Theodore Roosevelt proclaimed Petrified Forest National Monument as the second national monument, (Presidential Proclamation No. 697). The proclamation states: "...the mineralized remains of Mesozoic forests, commonly known as Petrified Forest, in the Territory of Arizona, situated upon the public lands owned and controlled by the United States, are of the greatest scientific interest and value and it appears that the public good would be promoted by reserving these deposits of fossilized wood as a national monument with as much land as may be necessary for the proper protection thereof."

The Petrified Forest proclamation further states, "Warning is hereby expressly given to all unauthorized persons not to appropriate, excavate, injure or destroy any of the mineralized forest remains hereby declared to be a national monument or to locate or settle upon any of the lands reserved and made a part of said monument by this proclamation."

President Woodrow Wilson invoked his Antiquities Act authority to proclaim Dinosaur National Monument on Oct. 4, 1915 (Proclamation No. 1313): "...an extraordinary deposit of Dinosaurian and other gigantic remains of the Juratias period, which are of great scientific interest and value, and it appears that the public interest would be promoted by reserving these deposits as a national monument."

Both Petrified Forest and Dinosaur were proclaimed prior to Congress passing the NPS Organic Act in 1916. The first national monument created after the establishment of the NPS was Fossil Cycad. On Oct. 21, 1922 (Proclamation No. 1641), President Warren Harding proclaimed the monument to preserve "...rich Mesozoic deposits of fossil cycads and other characteristic examples of paleobotany, which are of great scientific interest and value."
During the first decade after its authorization, Fossil Cycad was not actively managed by the NPS. Unauthorized collecting of the ancient plants resulted in the site becoming essentially picked clean of any fossils. Based upon the loss of the primary resource, a bill was introduced in Congress to abolish the monument, and it was carried out in 1957.

**Fossil Parks Established by Congress**

In addition to the monuments established by presidential proclamation, several fossil parks were established by congressional action. Included were:

- **Badlands National Monument**, originally authorized by Congress in 1929. However, the monument was not officially proclaimed until specific lands were acquired. Upon acquisition of the lands, President Franklin D. Roosevelt established the monument through Proclamation No. 2320 in 1939. The proclamation included the following paragraph: “Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument, and not to locate or settle upon any of the lands thereof.” The site was redesignated a national park in 1978.

- **Agate Fossil Beds National Monument**, established in 1965, to provide a center for continuing paleontological research and for the display and interpretation of the scientific specimens uncovered at such sites.

- **Florissant Fossil Beds National Monument**, established in 1969, to preserve and interpret the excellently preserved insect and leaf fossils.

- **Fossil Butte National Monument**, established in 1972, to preserve outstanding paleontological sites and related geological phenomena.

- **John Day Fossil Beds National Monument**, established in 1974, provided that “the national monument shall not be established unless and until the state of Oregon donates or agrees to donate the Thomas Condon–John Day Fossil Beds, Clarno and Painted Hills State Parks.”

- **Hagerman Fossil Beds National Monument**, established in 1988, to provide a center for continuing paleontological research, and to provide for the display and interpretation of the scientific specimens uncovered at such sites.

**Fossil Collecting Permits**

Section 3 of the Antiquities Act authorizes the secretaries of the Interior, Agriculture and Army to issue permits for the gathering of objects of antiquity upon the lands of their respective jurisdiction. Further, this section provided, “That examinations, excavations and gatherings are undertaken for the benefit of reputable museums, universities, colleges or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects, and that the gatherings shall be made for permanent preservation in public museums.” For nearly 75 years this provision of the act was used administratively by the departments as the primary authority for issuing permits for the collection of fossils.

In 1908, the Carnegie Museum in Pittsburgh applied for and was granted an permit to prospect and collect fossils from federal lands in Utah County, Utah. This was the first such permit issued for fossils under the authority of the Antiquities Act. There is no documentation indicating any objection or challenge to the Department of the Interior’s interpretation and application of the phrase “objects of antiquity” in issuing a fossil collecting permit.

The work of Carnegie Museum led to the discovery of an important dinosaur quarry on Aug. 17, 1909. The scientific importance of the Utah dinosaur locality soon led to the protection of the site as a national monument in 1915. The act thus served a dual role in the establishment of Dinosaur National Monument. First, it provided authority for issuance of the permit under which the quarry was discovered, then authority for the president to proclaim the monument to protect this important site. After the establishment of Dinosaur National Monument, Andricus A. Jones, first assistant secretary for the Department of the Interior, wrote to Carnegie Museum offering the opportunity for the institution to continue to apply for a permit stating, “such application will be given considerable consideration by the Department.”

With the passage of the Antiquities Act, oversight of the national monument was relegated to the Bureau of Ethnology. All papers, including permit applications, were forwarded to this bureau. In late December 1915, William J. Holland of Carnegie Museum traveled to Washington to meet with the Interior secretary regarding future permits for fossil collecting. The men agreed that dinosaurs were not archeological objects, and the permit applications were forwarded to the Geological Survey and Dr. Charles Walcott at the Smithsonian Institution. On Jan. 8, 1916, an Antiquities Act permit was approved for Carnegie Museum to continue work at Dinosaur National Monument.

**Objects Of Antiquity**

The use and interpretation of the phrase “objects of antiquity” within the Antiquities Act has generated considerable scholarly and legal debate. Some of the confusion may arise from the frequent difficulty of the public in differentiating the disciplines of archeology and paleontology. The lack of definition for the phrase “objects of antiquity” in the act and the legislative history has sparked the debate.

On Aug. 15, 1949, with the Smithsonian Act Congress provided some clarification and support to the Department of Interior's interpretation of “antiquity” to include fossils. On Aug. 27, 1958, once again Congress
In a comprehensive legal review of this discussion in 1994, Dorna Sakurai concluded, "Although it is obvious that a fossil would qualify as an antiquity,' it is unclear whether Congress intended to cover paleontological objects under this act."  

**Court Decisions And Solicitors' Opinions**

The first memorandum produced by the Department of Interior Solicitor's Office that addresses the issue of fossils and the Antiquities Act was dated Oct. 12, 1956. The opinion, prepared by the assistant solicitor for national parks, supported that fossils were covered by the Antiquities Act. The opinion recited the long history of the department in interpreting the act to include fossils and referenced two court cases: United States vs. Midwest Oil Co. (1915) and Sioux Band of Indians vs. United States (1942).

On Jan. 19, 1959, a solicitor's memorandum was prepared regarding the applicability of the act toward petrified wood. The opinion indicated that most petrified wood deposits were not of sufficient historic or scientific interest to qualify under the act.

The regional solicitor in Salt Lake City issued a memorandum to the Utah state director of the Bureau of Land Management on July 10, 1963. The memorandum stated that the Antiquities Act authority included fossils, however, this explicitly applied to fossils of an actual or real historic or scientific interest or of some unusual significance.

In a memorandum dated Sept. 21, 1971, Rex Wilson, Office of the Secretary, Department of Interior, provided clarification regarding previous solicitors' opinions regarding fossils and the Antiquities Act. Wilson's memo stated, "Although it is not specifically indicated in the memorandum, fossils or paleontological remains protected within the scope of the Antiquities Act are only vertebrate remains."

In the case of United States vs. Diaz in 1974, the Ninth Circuit Court of Appeals held that the phrase "objects of antiquity" within the Antiquities Act was unconstitutionally vague and unenforceable. This decision led to the dismissal of United States vs. Jenkins in 1975, in which a university professor was charged with a violation of 16 U.S. Code § 551 in the alleged removal of fossils from BLM land upon which he claimed to have mistakenly entered.

The most recent solicitor's opinion on the applicability of the Antiquities Act to paleontological resources was issued Jan. 19, 1977. The solicitor takes the position that paleontological resources are protected under the act, but advises that federal agencies would be better protected under other authorities such as the Federal Land Policy and Management Act of 1976. The solicitor concluded that "until new regulations are developed, paleontological resources will continue to be regulated under the Antiquities Act."
Nestled in a deep canyon just 10 miles north of the city of San Francisco is a place of repose. Countless individuals have walked its trails, breathed in the purity of the air, and sat and contemplated under the canopy of the majestic coast redwoods. Muir Woods National Monument, a primeval old-growth coast redwood forest, was set aside for all to enjoy due to a generous gift of Congressman William Kent.

Kent's vision was a national park located in Marin County consisting of Mount Tamalpais and the surrounding land. An organization created to advance the idea was the Tamalpais Forestry Association. Kent presided over a meeting on Sept. 12, 1903; in attendance was Gifford Pinchot, chief of the Forest Service. A formal proposal was put forth to create a 12,000-acre public park on Mount Tamalpais. As local resident Morrison Pixley stated: "There is in Marin County, an opportunity for San Francisco to obtain a seaside park with giant redwoods and Mount Tamalpais in one enclosure and within one hour's travel time from the foot of Market Street in San Francisco."

The first step in bringing this land into the public realm was the creation of Muir Woods National Monument. The land known as Redwood Canyon was formerly owned by the Tamalpais Land and Water Company. The company had started to sell off parcels of land. Kent was approached and encouraged to purchase Redwood Canyon. Elizabeth Thatcher Kent, his wife, was leery of the purchase. They were having financial problems and she felt they should not take on further debt. But Kent said, "If we lost all the money we have and saved those trees it would be worthwhile, wouldn't it?" In the summer of 1905 he agreed to purchase 612 acres for $45,000.

The 1906 earthquake and population growth of the town of Mill Valley put the canyon in peril. The North Coast Water Company owned 600 acres north of Kent's property. It wanted to take advantage of Redwood Creek and its north tributaries by damming the creek to furnish water to Mill Valley. On Dec. 2, 1907, the company filed condemnation proceedings to obtain 47 acres of Kent's land, much of which contain some of the largest and oldest trees.

Kent immediately wired Pinchot in Washington informing him of his intent to give the property to the United States government. He wrote; "You may rest assured that I shall leave no stone unturned to save these trees, and I call upon you as one in distress, to help me out." He then met with Frederick E. Olmsted, chief inspector of the Forest Service, in the San Francisco field office. Olmsted realized that Kent's desire for Redwood Canyon to fall under the jurisdiction of the Forest Service would not necessarily protect the forest. The Forest Service policy of 1905 stressed the use of the forest, which usually meant sustainable logging. He then pointed Kent to the Antiquities Act of 1906.

Kent felt he would be served condemnation papers by Jan. 10, 1908. He knew if he secured federal ownership by that date it would stop the process. The clock was ticking. If he didn't act immediately the forest would be lost forever. Kent sent the deed gifting 298 acres from him and Elizabeth along with a report completed by Olmsted that contained the rationale for the national monument focusing on the scientific and educational value. Olmsted wrote that the property "is of extraordinary scientific interest because of the primeval and virgin character of the forest and the age and size of the trees. Its influence as an educational factor is immense because it offers what may some day be one of the few vestiges of an ancient giant forest, so situated as to make its enjoyment by the people a matter of course." Secretary of Interior James R. Garfield signed the deed transferring the property to federal ownership. On Jan. 8, 1908, a presidential proclamation was issued by Theodore Roosevelt creating Muir Woods National Monument, the seventh national monument and the first donated by a private individual.

Although William Kent's dream of a Mount Tamalpais National Park did not come to fruition, his gift saved the last stand of old-growth coastal redwoods in the San Francisco Bay Area. Kent's dream for national parks did not diminish. He was elected to Congress by the citizens of Marin County, and on Aug. 25, 1916, he introduced the Organic Act into Congress, legislation that would create the National Park Service.

Jim MacDonald is an interpretive park ranger, education coordinator and volunteer manager at Muir Woods. He has worked for the National Park Service for 15 years and for the past six years at Muir Woods. In his spare time, he enjoys taking advantage of the great parks and cultural activities of the San Francisco Bay area.
By Dan Lenihan
Retired

The USS Arizona in Pearl Harbor is an underwater property managed by the National Park Service. It is also in a class by itself—perhaps the nation's most cherished American war memorial. With the remains of almost a thousand servicemen in its hull and with hundreds of thousands of gallons of oil in its corroding bunkers, it presents a unique challenge to park superintendents. How does one balance visitation with preservation, the wishes of veterans with the concerns of environmentalists? The Arizona is also one more antiquity in the confines of the National Park System. Along with hundreds of other submerged cultural resources in at least 60 parks, its care is influenced by a key piece of legislation that underlies our assumptions about preserving the past, wet or dry— the Antiquities Act of 1906.

There was a general public acceptance in the 19th and early 20th century that history could be bought for museums or private collections. With the Antiquities Act, the past on federal lands was declared collective property of the nation's citizens, not just someone with enough money to buy it. More than simply a nice notion; it was backed with penalties for violations.

In 1906 the sum of $500 was nothing to sneeze at (about $10,000 in today's dollars) and later legislation increased the penalties. As the NPS matured into an agency that identified with preservation of the nation's crown jewels, it drew parallels between the value of nature and culture. There was purple mountain majesty you could experience in the present, and artifacts and ruins that served as touchstones to the past.

What did this have to do with underwater archeology in the United States? Pretty much nothing for the first half of the 20th century. No one was conducting anything remotely resembling underwater archeology in this hemisphere with the shaky exception of work done by Edward Thompson in 1907 in the Yucatan. But when the new science eventually began to take root, it was often in areas of the National Park System.

When dealing with place-based values it becomes important who owns the “place.” Parks, were indisputably public lands. When their boundaries extended into the water the people retained ownership if title to the submerged bottoms was in fee simple. Even outside specific boundaries, the Service demonstrated a commitment to antiquities related to the interpretive theme of the park— terrestrial or wet.

Some very earliest underwater archeological work in the U.S. was conducted using dredges in the 1930s on historical shipwrecks offshore from Colonial NHP. Then came the 1956 discovery and 1964 raising of the Civil War ironclad Cairo—not by NPS archeologists but NPS historians and rangers who found the ship outside park boundaries and organized the excavation. Some of the first underwater archeology in America took place in 1968. It was at Montezuma Castle National Monument in Arizona, designated in 1906 under the brand-new authority of the Antiquities Act. The park's boundaries were extended to incorporate Montezuma Well, a sinkhole surrounded by the archeological remains of pre-contact Indian peoples. It is a site that
figures prominently in the oral histories and origin stories of several tribes in the area. It is also arguably the first place that American archeologists carried out underwater archeology on American soil.

In Florida, state-permitted efforts were also underway by the 1960s to excavate shipwrecks but there was little about that activity that could be characterized as archeology. The Florida Bureau of Archives and History was designated caretaker of the state’s wrecks but their agents at the time could only supervise salvage permits. Treasure hunting, the commercial harvesting of artifacts from shipwrecks with little consideration paid to them as archeological sites, was passed off as underwater archeology. Salvage divers used prop-wash deflectors to blow fragile wreck sites apart for gold, silver and emeralds. The valuables survived that sort of treatment quite well even if the sites didn’t. Worse, they blew away scores of non-treasure bearing wrecks that they found with magnetometers and couldn’t distinguish from the others.

The chief problem for underwater archeology was that notions derived from admiralty law and law of the sea confused its legal genesis. These maritime laws had been developed over centuries to cope with loss of property in the ocean. Shipwrecks were seen as “imminent peril” of loss to the sea and subject to rescue by salvors. Modern treasure divers were quick to maintain the argument that this condition still held.

Many were able to convince judges that the best place for archeological materials harvested from underwater sites was on their living room mantel or hanging from gold chains around their necks. The one place they consistently met resistance was in national parks. This was due to the groundwork laid by the Antiquities Act and the NPS Organic Act. Even the Archeological Resources Protection Act of 1980 (ARPA) did not cover sites that were on the outer continental shelf. The Antiquities Act made no such distinction.

The Abandoned Shipwreck Act (ASA) of 1988 finally addressed this critical conflict between law of the land and law of the sea. The United States, in this act, claimed title to all abandoned shipwrecks in its territorial waters (usually out to three miles). In the same move it passed that title to the coastal states—a move that led to inconsistent enforcement of preservation law.

Standards set by the Antiquities Act were often successfully challenged on underwater sites in state waters and even on certain federally controlled bottoms. But the law held strong, for the most part, in the national parks. The ASA acknowledged NPS and Indian lands as property of the United States and it significantly ameliorated conflict with the law of the sea. Of course, this led to legal wrangling over submerged lands within a park’s jurisdictional boundaries not held in fee simple. This happened despite ASA report language indicating congressional intent that anything found within the boundaries of a national park be treated as part of the park.

As the park system grew, it included large underwater holdings and an exceptionally high proportion of the nation’s beaches and coastal wetlands. In the case of national seashores, a strip of water was usually included along with the beaches. Ships, especially old wooden ones, have a great tendency to wreck near shore. They may have problems on their entire journey but they usually don’t wreck until they bang into the bottom.

Times do change. As the original desire to preserve specific wildlife and scenery in parks matured into a concern for the general ecological health of our cherished protected areas, so did the nature of what we considered important in the cultural component of parks. The Antiquities and Organic acts weren’t just protecting sites that were known but the ones yet to be found, including a lot of submerged resources.

To better appreciate the extent of the resource base with underwater archeological and managerial interest in the national parks, consider that the shipwrecks of Biscayne, Dry Tortugas, Cape Canaveral, Cape Cod, Padre Island, Cape Hatteras, Channel Islands and Point Reyes have all been the subject of serious litigation or/and law enforcement actions. Point Reyes National Seashore probably has within its boundaries the remains of one of the earliest wrecks in the hemisphere, the San Agustin from 1595.

There are significant underwater archeological sites in all of those parks and at dozens of others: Isle Royale, Ozark NSR, Buffalo River, St. Croix NSR, Lake Mead (the park just recently won a court action against salvors over a submerged B-29 bomber), Amistad, Glen Canyon, Lake Crescent at Olympic and Yellowstone (a water body one-half the size of Biscayne National Park), Gulf Islands, Ellis Island, Sleeping Bear Dunes, Pictured Rocks and Apostle Islands National Lakeshores. Also, Kaloko Honokahou on the Big Island and Kalaupapa NHP on Molokai have submerged prehistoric remains; so does Montezuma Well; Crater Lake has not been seriously studied for submerged sites but almost assuredly has some.

Parks have become almost inviolate in the American ethos. Regardless of how well that plays out in any particular case, the general notion of parks has real meaning to Americans. It is this “special place” association that has proved effective even when dealing with treasure hunters who are oft cast as folkloric heroes.

What about underwater antiquities and the legitimate park visitor — scuba divers? The Service’s Organic Act is clear that there are two elements to the NPS mission: “preserve” and “provide for the enjoyment.” The simple truth is that resources that have intrinsic value, natural or cultural, should be publicly accessible is being protected with public money.

The NPS has engaged in an extensive program of accommodating visiting divers. The agency actively facilitates their enjoyment of historical wrecks in park waters. Since the 1970s, the NPS has experimented with underwater interpretation of shipwrecks, buoy systems for diving visitors and underwater trail guides. All but two of hundreds of shipwreck sites (where diving is possible) in the National Park System are open to the diving public as long as they are treated with the same respect accorded cultural sites on land.

One park area where diving isn’t permit-
ted by visitors is the USS Arizona because of its memorial status. The other is a wreck site that was badly impacted by treasure hunters at Biscayne. Lake Mead’s aforementioned sunken aircraft is temporarily off limits but the park is working on a system of visitor access.

Protection of these sites is in the hands of park rangers who have undertaken the most significant law enforcement actions in the nation on underwater sites. Of particular note was a cooperative effort with the National Oceanic and Atmospheric Administration and undercover park rangers at Channel Islands. It involved major fines, criminal and civil prosecution.

In the final analysis, the NPS got into underwater archeology because it needed to: it has major submerged cultural resources and the strongest preservation mandate for them of any agency, including the National Marine Sanctuary program. Also, because it worked.

Rangers and other staff at the field level played a major role in making underwater archeology a reality. The NPS has the oldest nonmilitary diving program in the federal government. It began in 1959, and by the early 1970s it maintained approximately 180 collateral duty divers. That number varies roughly from 150 to 200. Their original reason for existence was recovery of drowning victims and evidence related to crimes and accidents. Gradually, the role of NPS divers diversified into other areas such as resources management, research and facility management. This also meant that when the small team of NPS underwater archeologists who became the agency’s Submerged Cultural Resources Unit in 1980, it had brothers around.

The Submerged Resources Center (SRC) team never had more than five permanent members. It could rarely field more than eight, including archeologists from other divisions and temporaries. But in the parks it could often harness a ranger force familiar with their areas that provided a formidable backup to the small team. NPS law enforcement, resource management, interpretation and maintenance personnel sometimes double or triple the SRC workforce on sites. It is doubtful that underwater archeology in the NPS would have ever attained the high profile it now enjoys without that element of fraternal support in the parks.

There were only a few ways an agency like the NPS could have responded to a quickly growing need for underwater archeological capabilities in the parks. They could have geared up a large in-house capability that could handle the issues on its own — out of the question with the press of other priorities. It could have outsourced, which made no sense with constantly recurring problems unique to parks; or it could do what it did.

It kept the burden of responsibility with the park superintendent and created a small, highly mobile team of specialists to assist them — the SRC. Parks pull them in for advice or apply them in the field to survey, document, evaluate or, if necessary, excavate. The SRC also trains park staff in field procedures or trains them from basic certification to advanced site monitoring. All members of the SRC team are nationally certified diving instructors.

The SRC ran a class in May 2006 in Submerged Cultural Resources Law Enforcement in partnership with the NOAA Marine Sanctuary Program. Its prime target was field-based staff, law enforcement rangers, park archeologists and resource managers. It was designed to provide tools for patrol rangers and others. Assistant U.S. attorneys were there to ensure the right steps be taken in the field to ensure public resources stay in public domain.

The NPS assisted at the birth of underwater archeology in the United States and remains prominent in the field. Much of the reason for this can be traced to the agency's mission and culture. A fair amount is owed specifically to the law, most particularly, the Antiquities Act.

The future of the NPS underwater archeology program is uncertain — it is treading water. Much of the NPS's capability to manage special places in a special way comes from the nature of the agency culture — the people that become rangers or join the other ranks of park staff.

Daniel Lenihan was the founding chief of the NPS Submerged Cultural Resources Unit, now the Submerged Resources Center. He is presently working for Larry Murphy, current SRC chief, as a temporary rehired annuitant. He wrote a book on his 30+ years conducting projects on submerged sites in the parks entitled Submerged: Adventures of America's Most Elite Underwater Archeology Team. He lives in Santa Fe, New Mexico, with his wife, Barbara. One son just finished his bachelor's degree at the University of Washington and the other is in his third year at University of California, Santa Barbara.
The Antiquities Act & the Vanishing Treasures Initiative

By Larry V. Nordby
Retired

Archaeology is a young discipline that doesn’t extend back very far into history. As practiced in the United States, it has grown along with the National Park System. The first attempt to define a “professional” excavation, as opposed to artifact or relic hunting, was in the Antiquities Act of 1906. Mesa Verde National Park was created in that same year. Not much work had been done prior to that time, but some of it had been done by foreign scientists who wanted to remove artifacts to their home nations, sometimes prompting national outrage that helped lead to the act.

The act established several principles that have since become embedded into National Park Service operations and other federal agencies: people could not damage, excavate, or destroy archeological sites or artifacts, and could be fined or jailed for doing so; the president could create national monuments and could be fined or jailed for doing so; those who remove artifacts or destroy archeological sites or artifacts, which have standing architecture, increased their numbers. Artifacts, objects; permits were required to ensure that excavation was professionally run and that objects would end up in public repositories such that scientific knowledge would be enhanced. Regulations subsequently followed.

Although there is a lot less excavating done in national parks today, the work by J.W. Fewkes and other early excavators helped open the American Southwest to tourism and were closely linked to the process of preserving archeological and historic sites. Artifacts, termed “minor” antiquities by Fewkes, were an important addition to museums, but he considered the rooms or kivas he dug to be the “major” antiquities. Since his heyday, the numbers of these archeological sites, many of which have standing architecture, increased as presidential proclamation added national monuments to the inventory of NPS units, as authorized by the Antiquities Act.

Over this same period, preservation of the sites, sometimes called “ruins,” became a major focus of NPS responsibility. The NPS used two major strategies to carry it out. First, because it was often linked with excavation during the early years, and excavation crews were comprised of local laborers with an ethnic connection to the sites, these same people became the backbone of the preservation workforce. In southwestern parks and monuments, this strategy solidified under special work units such as the Ruins Stabilization Unit, which subsequently was assigned to the Western Archeological and Conservation Center in Tucson. The unit was phased out in the 1980s.

The second thrust was to employ these same laborers in parks near where they lived, as part of the staff. With this approach, at parks such as Chaco Culture and Salinas Pueblo Missions, wage-grade employees continued a tradition born during the 1930s, most often working for the park archeologist, if the park had one. This tradition continued through the 1970s and until the 1990s. By this time, many of the trained craftspersons of the last several decades had retired, along with the skills that it had taken many years to learn. Replacing the skills of these workers and reducing the associated backlog of preservation project and maintenance work was the goal of the Vanishing Treasures Initiative.

The initiative was an indirect product of operations evaluations at several parks in the Southwest Region during the early 1990s. The inability of parks and monuments to replace essential skills and an ever-increasing preservation backlog was common to Chaco, Aztec, Salinas and other units. It was necessary to upgrade the professional level of the workforce and to harness new technology in the execution of the agency’s preservation responsibility. By the time that the situation had been analyzed throughout the Southwest, it had grown to include about 40 units that either had been set aside for cultural values or had historic or prehistoric sites with standing architecture.

What was now recognized as a problem for approximately 40 units was presented with enough mass to generate interest from congressional delegations, especially in the Four Corners states. Funding for a 10-year initiative was acquired in 1998, with the original objective calling for about $67 million over that period. Of that amount, about $8 million was to be used to build a trained workforce, and the balance was to work on the deferred preservation backlog. Since funding levels received have been less than called for by the original initiative, it has been expanded in duration.

The program called for adding base dollars to parks that needed to augment their preservation workforce with permanent positions. It also meant project dollars to help the Cultural Resources Preservation Program and cultural cyclic preservation projects and other funding sources reach a little further by moving some of the high priority and emergency projects that might otherwise be funded from those sources to the initiative. Thus, all parks, even those without Vanishing Treasures resources, would benefit at some level.

Essentially a self-directed, grass roots program, the initiative has been directed by its 40 member units. Staff support is supplied by a program coordinator, who reports to a steering/leadership committee of superintendents elected from among the member parks. Four technical/task groups comprise an advisory group elected by park technicians and professionals. Focal points for these latter groups include staffing and training, standards development, database development and budget. In an ideal funding year, the appropriate groups meet annually to prioritize projects and staffing needs throughout the initiative and to develop other programmatic guidance for the group as a whole.

Each year Vanishing Treasures staff meets at workshops designed to exchange ideas and introduce new technology or strategies. In addition, in order to assist parks, the initiative employs a circuit-riding structural engineer and an historical architect who make presentations at the annual workshop to describe how they helped parks or monuments. It has also been commonplace for specialists such as trained park-based plaster conservators or archeological documentation crews to share expertise with parks that needed specialized input or project support but lacked the workforce or necessary expertise. Such personnel exchanges have worked well.

Along with these professionals come new technological applications. Skilled preservation craftspersons remain the backbone of the workforce because masonry skills often aren’t learned in classrooms.

A new focus on technology has changed the preservation effort. Probably the most recent thrust in site preservation is to preserve their values through documentation. This is partly because sites are often paradoxically transformed by hands-on alteration, and partly because new technologies such as LIDAR scanning of walls creates such a specific baseline against which future changes can be identified and measured. Data can be fed into a computer, and NPS databases such as the List of Classified Structures or the Archeological Site Management Information System can be updated. Current thrusts also involve establishing the relationship between sites with standing architecture and the Facility Maintenance...
State Preservation
The Antiquities Act

New Mexico was still a territory when the Antiquities Act was signed into law, but the state contributed to, and has greatly benefited from, many of the national monuments created under the authority of that act. Since the 1930s we have had state monuments (and parks) protecting significant landscapes, locations and places that mean so much to the story that is New Mexico.

In 1960 neighboring state Arizona (once part of the territory of New Mexico) passed a state antiquities act, fashioned after the federal act in its protection of resources on state lands. The next big step in historic preservation was the National Historic Preservation Act of 1966 (NHPA), with its “burdensome” Section 106 responsibility; federal agencies and authorities (read as “state partners”) would need to take into account the potential effect of their proposed actions and undertakings on historic properties. This spawned in 1966 the creation of the National Register of Historic Places, and one of the coolest titles in government: “The Keeper.” Some agencies such as the NPS have attempted to fulfill responsibilities of NHPA. They inventory their own cultural resources and plan their own activities. One of the great accomplishments of NHPA was the mandate for public participation in the decision-making processes, and the development of consensus building between governmental and private interests. Another effect of the act was that federal and public agencies and the private sector became heritage preservation partners in the planning, avoidance or mitigation of potential adverse effects to special historic places from proposed projects.

NHPA also created the position of state historic preservation officer (SHPO) for each state, to represent the historic properties on behalf of each state and its local citizens. Whether organized within a historic preservation division, state parks, a historical commission or state museums, SHPOs are tasked with reviewing all federal undertakings (anything involving federal land, money or permits/licenses) for determinations of potential harm or effect on historic properties. If there are adverse effects, the project sponsors, the SHPO and other parties work to mitigate or resolve the effects. NHPA was intended to be a public participation law that was not meant to stop projects, but to consider our heritage resources in the planning processes. A well-known Section 106 attorney once asked at a 106 conference for folks to raise their hands if they knew of “any project stopped by Section 106 of the National Historic Preservation Act.” No hands were raised.

Following in the footsteps of the Antiquities Act and NHPA, the state of New Mexico passed the Cultural Properties Act to protect cultural resources on state lands and subdivisions thereof (county and city). The act makes it a crime to remove or steal artifacts from state lands, established the state’s Cultural Property Review Committee and requires permits before engaging in certain activities. This act also provides for nominations to the State Register of Cultural Property, an important step toward consideration for listing on the National Register.

When the New Mexico state monuments were first created, the country was in the depths of the Great Depression. Jobs were scarce. Public works efforts in conservation helped with rehabilitation and preservation of many special places and became the mortar for federal and state preservation relationships. It’s grim to picture what the state of preservation would be like in this country without this important partnership.

The mandate of NHPA is really to be part of a continuum in protecting and conserving our heritage resources, many of which truly are nonrenewable. The challenges of conserving our heritage are great. The New Mexico SHPO is a believer that all preservation happens locally, and the partnerships between federal, state and local parties are the best way to be effective in ensuring a future that includes a place at the planning table for historic properties.

Preservation of our past is often a hard road. The person recognized as the world’s first historian, Herodotus, is credited with saying: “As each challenge arises, if you considered everything that could go wrong, you would never act.” Fortunately for our material culture, historic and traditional places, we have appropriate laws and a heritage of protection.

Matthew Bogdanos (deputy district attorney, New York City; retired Marines colonel USMC-R, leader of the investigation into and recovery of stolen artifacts from the National Museum in Iraq, and author of Thieves of Baghdad) reminded us of an important point recently. He said, “This is a fight we cannot lose.”

(continued on page 32)
The Professional Ranger

Core Operations Analysis — What is the "Core Operations Analysis" process we’ve heard has been implemented in the Intermountain Region (IMR) and is soon to be implemented in other regions? A number of new articles have been printed recently on the core operations process. I’ve been told that much of the information in the articles was incomplete or incorrect. Here are some of the basic ideas behind the process, as described by IMR’s regional director.

The core operations process is park based and park driven. It began in the IMR, at the request of a park, to help park managers look at their budget process strategically. The idea is that many of the budget decisions that are made on a daily basis have long-term consequences. Decision makers are in a better position to understand and anticipate those consequences if they know 1) what are the essential or core operations their park has to fulfill; 2) whether or not the activities that are being performed in a park contribute directly to the accomplishment of those core functions; 3) if those activities are being done in the most efficient and effective way possible; and 4) if the park will be able to accomplish those core activities within its budget allocation as projected over the upcoming five years.

If a park determines that it is performing activities that are not core, then it is in a position to direct those resources to activities that are. Too, if the park determines that there are ways to be more efficient or effective in the way it gets work done, then it can use any of those savings for core functions. Any savings achieved through realizing efficiencies stays in the park.

On the other hand, a park may determine that it is directing all its activities toward core needs and find that those activities are being done as efficiently and effectively as possible. It may also determine that, despite this, there are still core needs that remain unmet. At that point, it has the basis for a strong, credible request for additional resources to meet those core needs.

That is the process in a nutshell. As part of that process, parks are asked to look at their fixed costs (utilities and labor). In many parks those fixed costs are up around 95 percent or more of their base budget, and in some park that figure exceeds 100 percent. That allows for little flexibility if the park faces some unexpected emergency or need. Many business models suggest that the appropriate ratio of fixed costs to the base budget is 80 percent. However, 80 percent is not a fixed target. When parks undergo the core operations process, they are asked to identify what ratio of fixed costs to base budget is appropriate for their individual situation.

The core operations process was established to help parks. Its implementation will help individual parks, and the National Park Service, be transparent, accountable and credible when dealing with the public and with public officials. Through this process, the parks will be able to clearly show how we do business, on what core operations our funds are being targeted, and what additional funds we need to meet our stewardship responsibilities.

It is important to understand what core operations is and what it is not. It is not about eliminating jobs. It is about providing a foundation for sustainable core operations and position management. It is also a way to aggressively pursue added funding to meet parks core needs.

Interpretation

Fee-For-Service Interpretation — My e-mail inbox has been recently peppered with news stories about the reductions in base funding for the operation of the National Park System. The new initiative, called Core Operations Analysis, will examine ways to provide a base level of services in parks while jettisoning program areas and functions that are seen as expendable, thus shaving the NPS budget by 20 percent or more.

Though I will not pass judgment on such a plan, I do wonder how professional interpretation in our parks will be affected by a 20 percent funding cut to park base budgets.

Often when budgets are cut and park managers seek to make a public statement, interpretation bears a portion of the burden. Visitor center hours are cut and some visitor centers or contact stations are closed. Fewer seasonal interpreters are hired and fewer interpretive programs are offered at points of interest. Perhaps a few campgrounds are also closed so that maintenance resources can be diverted to other priorities, but when you want to get the public’s attention, cutting visitor services are the way to go.

Though like most people, I believe interpretation to be a core function of the NPS, there are options for keeping some of your interpretive programs solvent during budgetary downsings. Yes, I am talking about charging cost recovery fees for providing interpretive services.

I know that many interpreters find the thought of charging fees for interpretive programs to be sacrilegious (and, indeed, you may be thinking of me right now as the Anti-Tilden) but the pragmatist in me must weigh the options between free programs being canceled due to staff shortages versus more frequently offered fee-for-service programs whose rangers are self-funded.

Can the interpretive profession survive in the NPS when base funding only covers desk time in the visitor center? Can the interpretive profession survive if we cannot hire seasonal interpreters to provide interpretive services and, eventually, be groomed to become the interpretive leaders of tomorrow? Viewed in the milieu of professional survival, perhaps fee-for-service interpretive programs sound somewhat more palatable.

Parks are permitted to charge for interpretive services under the auspices of 16 USC 1a2g, commonly referred to as a Title 16. The statute states that NPS units may:

“Sell at fair market value . . . products and services produced in the conduct of living exhibits and interpretive demonstrations in areas of the national park system . . . and credit the proceeds therefrom to the appropriation bearing the cost of such exhibits and demonstrations.”

Many parks are already using the Title 16 authority to recover costs from interpretive services such as cave and house tours. In fact, an examination of the Servicewide Interpretive Report (visit www.inside.nps.gov/sir from a government computer) for each park reveals that these parks are collecting anywhere from $30,000 to $500,000 per year to support interpretive operations (yes, interpretive operations — since fees are charged for cost recovery for providing an interpretive service, the money stays in the interpretive operation and is not diverted to other necessities).

There is some debate amongst managers in the fee realm about the language of the statute. Some regions interpret products and services to mean tangible items like blacksmith or glass-blowing items created onsite and then sold to the public. Others interpret products and services to mean interpretive programs and tours. Some regions read living exhibits and interpretive demonstrations to mean that you can only charge for living history programs.
(with living serving as the modifier for both exhibits and interpretive demonstrations). Others see living exhibits and interpretive demonstrations as each being discrete units so that you can charge for any interpretive program, demonstration or living history program or item. Still others define interpretive demonstrations as interpretive programs that demonstrate a skill (such as canoe skills, caving skills or other recreational skills).

The statue is written in such a way that any of these may be correct and valid, so working with your park or regional fee program manager is highly recommended. I work at a park that currently charges fees for interpretive house tours, and I would be glad to share our positive and negative experiences here at Death Valley with anyone seriously considering taking the Title 16 plunge (e-mail me at Rick_Kendall@nps.gov).

charging fees for interpretive services may not be entirely palatable. It may not even be practical to charge fees for all interpretive programs. And since providing interpretive services is a core operation to nearly all parks, interpretive operations should still be funded primarily from base appropriations. But fee-for-service interpretive programs may be a useful way for your operation to augment your current interpretive offerings. Perhaps it’s not a popular opinion, but at least you can’t throw rotten fruit and vegetables at me through your magazine.

— Rick Kendall
Death Valley

Protection
Protecting Sacred Ground — I attended a wilderness training course once where the instructor had us participate in an exercise that created an indelible impression in my mind regarding cultural resources and how important they are to our national heritage. From a stack of flashcards that listed common resource violations, he issued one card each to four participants, told them to stand in a separate corner of the room and read the violation on the card. He then instructed the rest of us to go stand in the corner that represented the one violation that we found most offensive.

The cards listed things like cutting switchbacks, leaving fish entrails along creek banks, graffiti, littering, washing dishes in streams, poaching and cutting live trees. We conducted several rounds of this exercise until the deck of cards was depleted. And on every evolution, the distribution of people from corner to corner was relatively even.

There was one glaring exception: “People using petroglyphs for target practice.” When one participant read this caption from her card, every person in the room migrated to her corner, regardless of what the other three folks read.

The message was clear: We all found the act of destroying our cultural resources nothing short of deplorable. The same held true not just for prehistoric resources, but historic resources too. Why the threshold? What made such a violation so much more egregious than any of the others? Simple: The irreplaceable nature of such resources means that, once destroyed, we’ll never get them back. Never.

Clearly, then, due to their elevated importance, we ought to be spending a fair amount of our time and energy protecting these special resources. It’s a daunting task given the myriad other duties we shoulder every work day. One more responsibility to balance with all the others that are equally important.

Our congressional mandate charges us with protecting, “...the scenery and the natural and historic objects and the wildlife therein...” In one sentence, it sums up what we as rangers — as stewards of our national parklands — are expected to achieve on a daily basis. Collectively, we call it resource protection, and it’s a huge part of many of our jobs.

Every park in the system contains “historic objects,” or historic places, or prehistoric objects and places. Whether it be the Liberty Bell at Independence, a pot sherd or pictograph at Capitol Reef or the sunken hull of a Great Lakes battleship at Isle Royale, cultural resources are a real, and in many cases, a valued element of our parks and our country’s legacy. Even our agency logo is an arrowhead — a projectile point.

What honor we should all feel to have these treasures entrusted to our vigilance. And what trepidation, too. So often we become discouraged when we discover resources that have been damaged, stolen, destroyed or otherwise defaced. I’m disgusted every time I discover recent looting at one of Big South Fork’s several thousand prehistoric rock shelters. The sheer magnitude of trying to protect them with only eight rangers, while continuing to run all of our other operations, can be overwhelming.

But that’s when we have to remember what it is we’re doing. That’s when we have to remember that we’re protecting sacred ground, the same ground that, over 2,000 years ago, might have provided a home to those who came before us.

We have colleagues to band together with in our mission. They are archaeologists and other resource management specialists, historic preservation folks, and maintenance division personnel who provide eyes in the field and without whose diligence many of our cultural resources would deteriorate at an even more accelerated pace. We also have university students conducting field work, interpreters passing along to the public the importance of cultural resources and how they can best be protected, and non-government organizations whose purpose it is to protect the resources.

They all provide indispensable help so we are not alone in this quest. This quote sums up the message:

“We have not inherited the earth from our ancestors, we have only borrowed it from our children.”

— Kevin Moses
Big South Fork

Resource Management
The work of NPS cultural resource professionals is measured by several very specific GPRA goals, which a number of parks have struggled to meet. The intent is outlined in NPS Management Policies and Director’s Order 28, an organized program of gathering data on the number and condition of cultural resources. Specifically, it includes historic structures recorded on the List of Classified Structures; archeological sites recorded in a servicewide archeological database called ASMIS; cultural landscapes recorded on the Cultural Landscapes Inventory; and museum objects recorded in the ANCS+ database. As a result of failure to achieve sufficient progress on several goals, some parks are working hard, directed by corrective action plans, to achieve improvement in these areas in 2006 (and beyond).

These efforts at completing basic cultural resource inventories and condition assessments have been or will be the focus of many park and regional staffs. However, other needed work is not so easily captured by GPRA goals, such as conservation of museum objects. I wonder whether others have struggled, as I have, with the strong compliance-oriented message sometimes conveyed by cultural resource programs.

While the documented understanding and assessment of National Register-eligible properties, as mandated by Sections 110 and 106 of the National Historic Preservation Act, provides a foundation for cultural resource protection in and beyond parks, it does not capture...
the totality of cultural resource preservation (museum collections being a notable example of things not covered under NHPA).

Ethnographic resources are an area of growing interest, although relatively few have been evaluated under NHPA; some state historic preservation offices are reluctant or insufficiently staffed to consider assessing ethnographic sites or resources as traditional cultural properties. I encourage subject matter experts to go beyond “doing Section 106 compliance” on how proposed park projects may affect cultural resources, and “share the wonder” of their park’s historic and prehistoric sites, landscapes, objects and stories in ways that non-experts in and outside the NPS can appreciate.

Cultural resource managers and staff face numerous challenges in accomplishing their ambitious goals. For example, I have expressed concern over continued efforts to maintain the LCS database, reader-friendly though is intended to be, when so much similar effort is focused on the maintenance database FMSS, to which new funding requests must be tied in the NPS project management information system (PMIS).

Speaking of project funding, the working guidance for use of recreation fee funds available to many parks in coming years does not appear to permit funding the database backlogs, or additional efforts such as conservation of museum objects, ethnographic assessments and evaluation of cultural landscapes, unless parks can demonstrate a direct visitor service connection.

— Sue Consolo Murphy
Grand Teton

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ANPR
ACTIONS

Actions by Association President
Over the past few months Lee Werst, ANPR’s president, has spent time on these items:

■ Set up and presided over several conference calls with the ANPR Board of Directors.
■ Worked with the board member for fundraising in exploring a partnership with a potential sponsor.
■ Attended the ANPR field representatives conference call.
■ In partnership with the EPA and several other organizations, created a resolution expressing ANPR’s support for Environmental Crimes Prevention Week.
■ Reviewed and forwarded to WASO, ANPR’s consolidated comments on management policies.
■ Co-coordinated the acquisition of ANPR promotional materials for membership recruitment.
■ In cooperation with other organizations, forwarded a letter to Congress expressing concerns ANPR has with the proposed new management policies.

ANPR • Association of National Park Rangers
Membership Services

ANPR Field Reps Hard At Work
ANPR's new field reps are working hard to update missing or incorrect information in the membership database, to better reach and serve all members. Won't you give them a call or email to update your information, or to volunteer your ideas or assistance in recruiting for ANPR?

Alaska, Hawaii, US Territories, International (except Canada)
Clair & Liz Roberts, SITK (lizroberts@att.net, 907-966-2732)

Pacific Northwest (WA, OR, ID) and Canada
Michelle Supernauh, Terasan, OLYM (mstdorok@olym.com, 360-417-3711)

Plains (ND, SD, NE, KS, IA, MO)
Todd Stoebel, TRHO (darkside0704@yahoo.com, 701-842-2267)

Rockies (MT, WY, CO)
Dan Greenblatt, GRTE (dan_greenblatt@yahoo.com, 307-543-0925)

California
Bob Bryson, MOJA (rubryson@earthlink.net, 760-245-2507)

South Central (OK, TX, AR, LA)
Dick Zahm, WABA (vzahm@dobsom телеко.com, 580-497-3154)

Midwest (MN, WI, MI, IL, IN, OH)
Randy & Mary Beth Wester, LIBO/MWRO (rmbwester@psci.net, 812-544-2283)

Southeast (MS, AL, TN, KY, GA, SC, FL)
Adam Prato, GUIS (acprato@bellsouth.net, 228-872-6785)

Mid-Atlantic (NJ, DE, PA, NY, CT)
Linc Hallowell, GATE (jhallowell@yahoo.com, 201-333-2193)

Capitol (VA, MD, DC, NC, WV)
Dana Dierkes, GWMP (dmdierkes@verizon.net, 301-916-7963)

Education Community Outreach
Steve Dodd, Northern Arizona University (steve.dodd@nau.edu, 928-526-5779)
Mark Giese, Ohio State University (giese.1@osu.edu, 614-527-1441)

Seasonal Outreach
Cindy Hawkins (cindyhawk81@hotmail.com)
Jared Brewer (brewedog18@yahoo.com)

Field Reps are still needed in:
• Southwest (AZ, NM, UT, NV)
• New England (ME, VT, NH, MA, RI)

Won’t you help build a better ANPR into our fourth decade? Contact Kale Bowling-Schaff, board member for membership services, at 530-667-5018 or anpr_membership@animal.net to volunteer or for more information.

Give a Gift Membership Today
Summer is here, and it’s time to introduce some talented new NPS employees or partners to ANPR with a gift membership! Though many ANPR members regularly give memberships to friends and co-workers as gifts or awards, this new category gives the added incentive of a reduced rate: $25 for one year or $45 for two years.

While this category is intended only for single-time gifts to new members (no renewals or lapsed members please, or “gifting yourself”), imagine the possibilities for enlisting and diversifying the ANPR membership if every member gave just one gift membership. We would instantly double our membership!

As an additional incentive, ANPR partner American Park Network has generously agreed to donate a keychain LED flashlight to 200 new ANPR members.

Founding Member/Life Member Issues Challenge
Former ANPR president and membership volunteer Dick Martin recently stepped up to the plate in a big way with a donation of $1,000 earmarked for membership and recruitment activities.

Thanks to Dick and spouse Mary for their most generous and continued support of a dynamic and growing ANPR. Over the years, many life members have also generously “upgraded” their memberships by becoming Second and Third Century members, and ANPR extends its gratitude to these members.

For those of you who haven’t had the opportunity to help out in recent years, won’t you step up to Dick’s challenge of a donation equivalent to annual dues for the duration of your membership? Contact Dick at gsmamo@frontiernet.net or 559-240-1036 for more information.

Retirement

Life Insurance — Life insurance isn’t so much about life as it is about death. Insurance on your life is something you will never benefit from. The insurance company will pay the death benefits to your beneficiaries. Consumers are often confused by life insurance: when to buy coverage, when to skip it, how much coverage, what type policy do I need. The Wall Street Journal recently printed the Complete Personal Finance Guidebook by Jeff D. Opdyke. Here are some of Opdyke’s suggestions on life insurance.

• Do you need life insurance?
Maybe not if you are single with no dependents;
Or working couples without kids;
Or wealthy people who already have an estate large enough to provide for a spouse’s lifestyle;
Or for young children who do not provide sources of income.

• Circumstances where life insurance is needed.

You have dependent children and or have a nonworking spouse. The loss of your income could affect your spouse’s ability to remain in the family home with the children and continue to provide the level of education you otherwise could afford on your salary. You have special-needs childrens or others you support or wish to care for.

You have a mortgage remaining on your home and/or lots of credit card debt.

• How much life insurance is enough?
The ideal amount of life insurance allows beneficiaries and dependents to invest the insurance payout and then draw down the account over time to maintain the standard of living that the missing income would have provided.

The Rule of Thumb is the most basic method, estimating that you need life insurance somewhere between five and 10 times your annual salary. I believe that 10 times is better due to inflation. Opdyke explains that this method is fairly simplistic in that it doesn’t require you to address any specific insurance needs you might have, such as...
the cost of child's college years from now or the continuing care of a special-needs dependent.

**Income Replacement** takes the view that you need to essentially replace some level of income — be it an entire salary or some portion of it — over a certain number of years. If you have few financial assets and no special needs to finance, then this method is probably fine.

**Financial Need** takes into account various expenses your income would otherwise help afford, such as a child's tuition; the family's annual living expenses; your spouse's future retirement needs; debt/mortgage payoff; and other special needs. This is my recommendation — to sit down and figure out, including inflation, a replacement figure necessary to support the family needs. This is the most detailed approach to life insurance because it requires some real thought to determine what expenses you need to cover and how much those expenses are going to cost years or decades from now. With this method, Opdyke says, you should also evaluate the liquid assets you already have in place. If you have already saved for much of your child's expected college costs, there's really little reason to include that in your insurance coverage.

- **What type of policy should you buy?**

Life insurance is available in two basic forms: "term" and "cash value." **Term life** is in place for a specific term — typically 10 to 30 years. You determine how much insurance coverage you need and pay a premium guaranteeing your beneficiary will receive the face value of the policy if you die during the term. Term's biggest benefit: It's cheap, meaning you can afford more for your money. But remember, it offers no grace period and, like car insurance, if premiums are not paid on time you lose your coverage.

With **cash-value**, part of your premium buys a death benefit, and part funds a cash account. Cash-value policies are designed to be held for life. Because premiums must first cover substantial costs such as the sales commission, most contracts don't break even for years, meaning the premiums you've paid won't equal the accumulated cash value you're eligible to claim for many years. The premium is higher than for term insurance, but generally has a grace period for payments.

I believe that most NPS employees are under-insured. The most FEGLI (which is term insurance) will pay is five times your salary if you have opted for this feature. But it may not be enough. Look to other term insurance in addition to the FEGLI. Term insurance is the way to go. Just go to Google and search for term insurance. Opdyke is correct in his findings.

— Frank Betts, Retired

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If you are reading this while in the United States, you may still have time to book a flight, and register for the 5th IRF World Ranger Congress in Stirling, Scotland, beginning the evening of June 14. So, get off your sofa, go to Expedia.com and book that flight! (after registering at www.ranger-irf.com/concertour2006).

ANPR is once again helping to sponsor Latin American rangers to attend the congress. This year, thanks to generous donations from ANPR members, we are sponsoring Daniel Paz from Argentina (Asociacion de Guardaparques Argentinos), and the nominee for the South American continental representative to the IRF board.

For the first time ANPR is also helping to send two ANPR members to the Scotland Congress. Thanks to help from the newly created Muir Fund and member donations, Emily Murphy from Salem Maritime and Albert Faria from Chickasaw were selected to attend the IRF congress. Congratulations to both!

The original idea for the Muir Fund, beyond helping to send newer ANPR members to an IRF congress, was to more broadly assist ANPR members to explore the wealth of international activity in the world. The Spring 2004 issue of Ranger sought donations "to assist ANPR members to represent rangers and ANPR on an international basis."

The Muir Fund still has some funds remaining to be used as seed funds for future endeavors. I propose that a discussion be held at the 2006 Ranger Rendezvous about the future of the Muir Fund. My suggestion is that it continues as a core part of ANPR and is used for international activities. There have also been other ideas proposed, including providing assistance to members to attend a future Rendezvous. Think about it, and let's discuss this at Coeur d'Alene this fall. In the meantime, if you have ideas or thoughts, feel free to send them to me or to the editor.

Hope to see you in Scotland! Slainte!

— Tony Sisto
Lake Coeur d'Alene is more than 25 miles long and features 135 miles of shoreline.

RENNDEZVOUS 2006
A Legacy of Leadership

To celebrate almost 30 years of ANPR leadership, the theme for Rendezvous XXIX is “A Legacy of Leadership.” Coeur d’Alene, in northern Idaho, is the host city, and the Coeur d’Alene Resort is a spectacular venue for an educational and collegial weekend.

The ANPR board meeting (which is open to all) kicks off the weekend on Friday, Nov. 10. An evening social is scheduled that night. Registration begins Friday afternoon and the Rendezvous officially opens Saturday morning, Nov. 11. Workshop sessions will run through mid-afternoon Tuesday, Nov. 14.

Leadership is a concept that cuts across all disciplines and all grade levels and is key to success in our professional and personal lives. Google leadership in search for a definition, and it is likely you’ll receive close to a billion responses! Leadership topics are always timely and the sessions surely will prompt lively debate amongst the participants.

A number of panel presentations are in the development stage, including a session on “Lessons Learned from Hurricane Katrina,” the National Incident Management Organization (www.nifc.gov/nimo) and a panel of authors who are leaders in the field of environmental journalism.

Speakers will include Steve Wolf, president of Issues Management Solutions (www.solutionsbyims.com) on “Crisis Communication”; Joe Miller, from the Law Enforcement Leadership Institute speaking on “Situational Leadership”; representatives from the Wildland Fire Lessons Learned Center (www.wildfirelessons.net) who will speak about the center and present highlights from the Managing the Unexpected Workshop Series; and a specialist on the Wildland Fire Leadership Development Program (www.fireleadership.gov).

Plans also include sessions on interpretation, formal and informal mentoring, and managing your career.

Invitations have been sent to Secretary of the Interior Dirk Kempthorne; NPS Director Fran Mainella; NPS Associate Director, Resource and Visitor Protection, Karen Taylor-Goodrich; and Pacific West Regional Director Jon Jarvis, who will also welcome the group to the Northwest.

Idaho is much more than famous potatoes, and the inland northwest is a wonderful area — so consider extending your weekend to make amends for an overdue vacation!

Coeur d’Alene is about 45 minutes from the Spokane, Washington, airport via Interstate 90. The room rate of $75 is approximately 50 percent off the resort’s normal rates. For additional details on the hotel you can visit at www.cdareport.com.

Additionally, Kale Bowling-Schaff, ANPR’s membership services board member, and the ANPR field representatives will work to facilitate roommates and car-pooling options.

Stay tuned and keep in touch with Rendezvous updates by visiting the ANPR website at www.anpr.org. See you in November! ✈️

— Roberta D’Amico
Program Co-Chair
Cliff Chetwin retires after 35 years of federal service

IMR Regional Aviation Manager Cliff Chetwin retired April 28 after 35 years of federal service. Cliff’s first association with the NPS was working seasonally at Craters of the Moon in Idaho in 1971.

He earned his degree in forestry from the State University of New York, Syracuse, in 1972 and started his permanent NPS career with the U.S. Park Police in Washington, D.C. These duties took him to San Francisco in 1974 where he participated in the establishment of the first USPP field office. In 1976 he rejoined the ranger ranks as an intake ranger (interpretation) at Morristown in New Jersey.

His career then took him to Pinnacles in California where he served as East District ranger until 1982. He then served as chief ranger at Carlsbad Caverns until 1988 when he moved to the Southwest Regional Office in Santa Fe, first as a forester and then as the regional fire management officer. When the Southwest and Rocky Mountain regions were consolidated in 1998, he transferred to Denver as the Service’s first regional aviation and safety specialist.

Cliff’s career has been both unique and distinguished, first emphasizing law enforcement where he also served as a SET leader and as a member of numerous national workgroups, including the NPS-9 rewrite in the mid-1980s.

He then moved into wildfire and was one of the leaders in the professionalization of the Service’s wildfire fire program with the development and implementation of the FIREPRO program. In aviation, he is one of the Service’s acknowledged experts and he has been a leader in developing the NPS aviation program. He served as the first chair of the National Aviation Advisory Group and also initiated an aviation outreach program that now reaches over 700,000 people annually.

Cliff and his wife, Judy, will continue to live in Denver until the fall of 2008 when they will return to Santa Fe. His immediate plans include building a house in Santa Fe, devoting more time to the Boy Scouts, climbing more of Colorado’s 14ers (14,000-foot peaks), building an airplane and flying, □
Rock Climbing: Mastering Basic Skills

Reviewed by Jim Detterline
Rocky Mountain National Park

Rock Climbing is a basic rock climber’s manual written by local expert Craig Luebben, whom I have met in the local mountains here on numerous occasions. He is a guide extraordinaire and a world-class climber, so I was interested in reviewing his new book for beginners. It’s one of numerous recent volumes in the excellent Mountaineers Outdoor Expert Series of instructional mountaineering skills books published in recent years by the publishing arm of The Mountaineers Club.

But how could I possibly review a book for beginning rock climbers? After all, I was more than a little out-of-touch with beginners, having seasoned myself to the art of the epic climb for more than 30 years. Fortunately, this last summer my nephews finally came out West to visit “Uncle Jim,” so I carefully prepared for their stay by reading Rock Climbing and by watching Clint Eastwood in the Eiger Sanction one more time.

The scope of Rock Climbing was further-reaching than my definition of “basic.” Luebben includes advanced topics such as the setting all types of anchors, traditional lead climbing, multipitch free climbs, self rescue topics and some complicated knots.

However, his writing style and abundant well-chosen photographs and illustrations make his subjects easy to understand. The book is organized into 14 chapters and three appendices, with numerous subtopics between those chapters. There is also a glossary of useful terms in the back of the book. Climbers speak their own language, so: “If you want to redpoint that route, heel hook the crux at the overhang, but don’t forget to set a nut in that crack for an anchor so you don’t crater if you take a lead fall; on belay!”

Rock Climbing begins in Chapters 1 and 2 with descriptions of the basic physical movements on rock. Only later, in Chapters 3 through 7, does the author address the nomenclature of the equipment and its use in basic rope set-ups for safe belayed climbing. I found this interesting because when I learned and later taught rock climbing skills, we always tended to keep people away from the rock until they were properly awed and confused by the mysteries and complications of the safety equipment. I frequently had to call people back down to the ground who had simply just started climbing around without a rope and appeared as if they were going to endanger themselves.

Yet, Luebben’s approach makes sense because most people who wish to learn how to climb always focus initially on the physical aspects of the sport instead of the safety gear and techniques. So why not inspire the beginners by starting them on that which is of the greatest interest to them?

Luebben imparts his own specialty into Chapter 2, Crack Climbing, when he describes the climbing of off-width, squeeze chimneys and other wide cracks. He is a master of the skin-peeling desperate “awful-width” crack climbs such as the Crack of Fear on the Twin Owls at Rocky Mountain, so it was inspiring for me to find out his secrets.

Rock Climbing continues in Chapters 4, 5, 6, 7 and 11 with great discussions and beautifully illustrated treatments of essential beginner topics such as knots, basic (and advanced) anchors and anchor systems, belaying, top roping and rappelling. Then he finishes the book with advanced techniques and rarely discussed intermediate techniques (such as working on a team of multi-pitch climbers) for beginners to aspire to.

After reading Rock Climbing, I did take those young nephews out for their first rock climbs. For their graduation route I picked the dreaded Safety Pin, one of those infamous Needles of South Dakota with the long runouts on small, greasy crystal holds. I topped out on the tiny summit with legs straddling both sides, and tied a long sling around the summit for a belay anchor, somewhat similar to trying to tie a slippery plastic fishing line around a pin head and expecting it to stay put. The nephews then slowly worked their way to the top, pinching those crystals with the intensity of the “Vulcan Death Grip” and persevering to laugh noisily on the top as they stood up and eyeballed that belay sling.

There is nothing quite like the look of fear in a young man’s eyes. Thank God for children! Thus, I was able to relive my own start 31 years ago into this mad sport.

If rock climbing is the recreational or professional pastime that appeals to your warped mind, then you, too, will want a copy of Rock Climbing. But before you steal that piece of clothesline from the backyard and head to your local crag, I advise beginners that reading a book like this is just a supplement to getting the proper instruction from an experienced guide (or family member).

This is also a useful book for land managers interested in understanding the recreational opportunities or possibilities that may occur in your jurisdictions. No matter what your interest or experience level in rock climbing, I am sure that Rock Climbing will impress you that, properly executed, rock climbing is a safe and fulfilling experience.

Jim Detterline is the Longs Peak area ranger at Rocky Mountain National Park. He has climbed large rock faces from Brazil to British Columbia. His nephews think that he looks like Clint Eastwood out of the Eiger Sanction.

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State Preservation and the Antiquities Act (continued from page 23)

The quality of our future is at stake. Like the ancient Romans we want to leave future generations more than just pride and stories of bygone days. 

Katherine Slick, New Mexico's state historic preservation officer since 2003, has been involved with historic preservation for decades in the private sector. With a master's in business administration from Southern Methodist University, she and her partner-husband rehabilitated the Plaza Hotel in historic Las Vegas, New Mexico. She helped develop the New Mexico Heritage Preservation Alliance and received a presidential appointment on the Advisory Council for Historic Preservation.

Phil Young, archaeologist and coordinator of the SiteWatch Stewards Program, has been involved in heritage resource protection for more than 20 years. He began his National Park Service career as a Volunteer-in-Parks archaeologist at Bandelier National Monument in 1975. He retired from the NPS as a special agent in 2000. He worked at Little Big Horn, Death Valley, Denali, Tonto, Jean Lafitte, Fort Laramie, Santa Monica Mountains and the ARPA Task Force.

ANPR promotional products

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<tr>
<th>ITEM</th>
<th>PRICE</th>
<th>QUANTITY</th>
<th>TOTAL</th>
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<tr>
<td>Long-sleeved polo mesh shirts: Men's M - L - XL - XXL, Women's S - M - L - XL, Colors gray heather, white, honey gold (circle size and color)</td>
<td>$35.00</td>
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<td>Short-sleeved polo mesh shirts: Men's M - L - XL - XXL, Women's S - M - L - XL, Colors gray heather, steam heather, (heather), white (circle size and color)</td>
<td>$30.00</td>
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<tr>
<td>Large belt buckle, pewter, 3-inch</td>
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<td>Small belt buckle, pewter, 2-inch</td>
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<td>Ballcap, khaki</td>
<td>$17.00</td>
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<td>T-shirts from 2003 Rendezvous in Plymouth, Mass.: Long sleeves sizes: M - L - XL - XXL, Colors: white, honey, (circle size and color)</td>
<td>$5.00</td>
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<td>T-shirts from 2004 Rendezvous in Rapid City, S.D.: Red with black lettering, sizes: M - L - XL - XXL</td>
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<tr>
<td>Autographed book: Barry Lopez's Resistance $15.00</td>
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<tr>
<td>Butch Cadotte's National Park Ranger: An American Icon $15.00</td>
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<tr>
<td>Wayne Lanfran's Fort Jefferson and Dry Tortugas National Park $18.00</td>
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<td>Nancy Muleady-McCabe's True Stories from a Ranger's Career in America's National Parks $20.00</td>
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<td>ANPR coffee mug (ceramic) $4.00</td>
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<tr>
<td>Writing pen</td>
<td>$4.00</td>
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<tr>
<td>ANPR cloisonne pin or 25th anniversary pin, silver with relief, M - L - XL - XXL</td>
<td>$2.00</td>
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<tr>
<td>Mousepad, tan with ANPR logo</td>
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<tr>
<td>ANPR decal</td>
<td>$1.00</td>
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<tr>
<td>Can koozie</td>
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Subtotal | | | |

Shipping & handling (see chart) | | | |

TOTAL (U.S. currency only) | | | |

Questions? Contact Teresa Ford at fordedit@aol.com

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32 • ANPR • Association of National Park Rangers
MEMBERSHIP APPLICATION — Association of National Park Rangers

- New Member or - Renewal / Returning Member  Date ______________________

Name of ANPR member we may thank for encouraging you to join ______________________

Name(s) ___________________________  4-letter code of park / office where you work ______________________

(Retired NPS employee=RETI, Former NPS Employee=XNPS, Student/Educator=EDUC, Park Supporter=PART)

Address ___________________________  City ___________ State ______ Zip+4 _________

Home phone ___________________________  Personal e-mail address ______________________

ANPR will use e-mail as an occasional – but critical – communication tool. We will not share your information with any other organization. It is our policy not to conduct ANPR business via NPS e-mail or phone.

<table>
<thead>
<tr>
<th>Type of Membership</th>
<th>(check one)</th>
<th>Individual</th>
<th>One year</th>
<th>Two years</th>
<th>Joint</th>
<th>One year</th>
<th>Two years</th>
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<td>Gift Membership</td>
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<td>Active (current &amp; former NPS employees and volunteers)</td>
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<td>$25</td>
<td>$45</td>
<td>$40</td>
<td>$75</td>
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<td>Seasonal/Intern/Volunteer</td>
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<td>$25</td>
<td>$45</td>
<td>$40</td>
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<tr>
<td>Under $30,000 annual salary (GS-4/5 or equivalent)</td>
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<td>$35</td>
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<td>$30,000 – $44,999 (GS-7/9 or equivalent)</td>
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<td>$45</td>
<td>$85</td>
<td>$60</td>
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<td>$45,000 – $64,999 (GS-11/12 or equivalent)</td>
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<td>$115</td>
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<td>$65,000+ (GS-13 and above)</td>
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<td>$75</td>
<td>$145</td>
<td>$90</td>
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<tr>
<td>Associate Members (other than NPS employees)</td>
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<td>$25</td>
<td>$45</td>
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<td>Student</td>
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<td>$45</td>
<td>$85</td>
<td>$60</td>
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<td>Regular</td>
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</table>

- Life Members (May be made in three equal payments over three years; indicate if paying in one installment □ or three □) |

□ Active (all NPS employees/retirees) $750 □ $1,000

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TOTAL ENCLOSED: ________

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