



Chick Fagan/WASO/NPS
03/20/2012 12:33 PM

To Alma Ripps/WASO/NPS@NPS
cc
bcc
Subject (2) 12-368 Ruch PEER stupa and GRCA issues

Relating to GRCA creationist book.

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Bookmark www.nps.gov/policy

----- Forwarded by Chick Fagan/WASO/NPS on 03/20/2012 12:32 PM -----



Chick Fagan/WASO/NPS
01/05/2011 05:53 PM

To maureen_foster@nps.gov
cc
Subject PEER inquiry re GRCA book

Maureen: I recently learned from the Geological Resources Division that GRCA had responded to a PEER request for removal of a Creationist book from the park's bookstores. Superintendent Martin's August 18, 2010 letter (attached below) indicated to PEER that the issue would be referred to the Office of Policy for a determination of appropriateness. Unfortunately, a copy of the letter never made its way to me until just now. This issue has been kicking around for a long time. When a previous GRCA superintendent referred the matter to WASO during Director Mainella's administration, I prepared a policy analysis and recommendation that the book be removed. However, no official action has ever been taken by WASO on the recommendation. In the intervening years, a number of parties have inquired as to its status. Is this something that the Director would be willing to address? AD Mike Soukup had offered his opinion on it, which was reflected in my analysis. I had brought it up with Gary Machlis when he first came on board, but we never had a chance to discuss it in depth. Please advise.

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----- Forwarded by Chick Fagan/WASO/NPS on 01/05/2011 05:40 PM -----



Dean Portman/GRCA/NPS
01/05/2011 05:19 PM

To Chick Fagan/WASO/NPS@NPS
cc Maureen Oltrogge/GRCA/NPS@NPS
Subject Peer letter copy to Fagan



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

A5623(0004)

January 19, 2007

Memorandum

To: Director

From: Acting Chief, Office of Policy

Subject: Your decision on the appropriateness of "Grand Canyon – A Different View" as a sales item at GRCA bookstores

Background: In 2004, Grand Canyon Superintendent Joseph Alston asked that the Washington Office review the book, "Grand Canyon – A Different View," in terms of its appropriateness as a sales item in a national park. The request was prompted by a controversy over the book's Bible-based worldview on how the canyon was created. Normally, a decision about the sale of a book in park bookstores is handled entirely at the park level. However, due to the national attention focused on park-related religious issues in recent years, and the high potential for controversy, the superintendent asked for the Washington Office's perspective.

Prominent scientific organizations contend that the book aggressively attacks modern science and broadly accepted interpretations of the geologic history of the Grand Canyon. They believe that offering the book for sale within a national park implies that the NPS supports or endorses that point of view. Similar views are offered by NPS scientists.

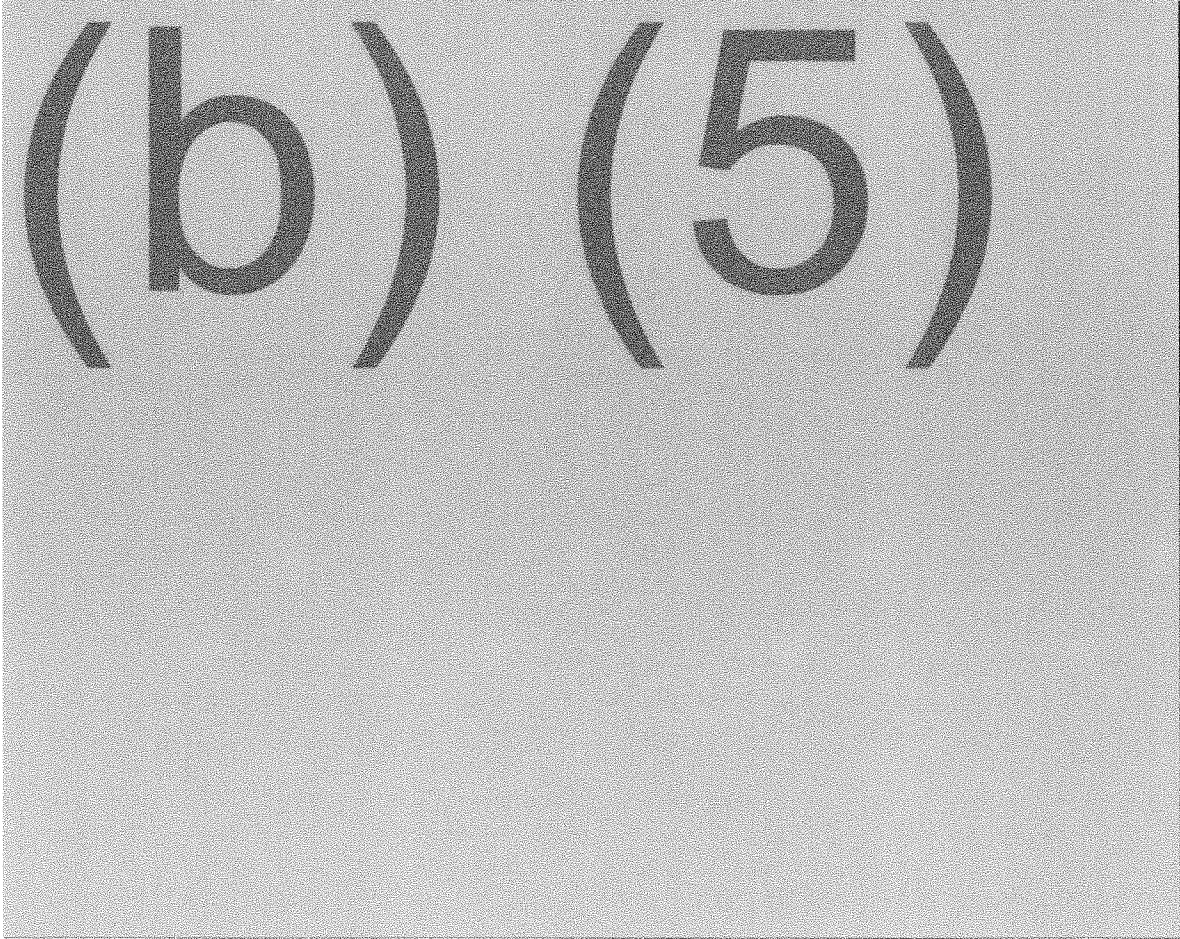
In addition to concerns about the book's scientific inaccuracies, some reviewers suggest that sale of the book in a national park bookstore violates the First Amendment's prohibition against establishment of religion. Others—including some NPS interpreters—have expressed the opinion that the book merely represents an alternative view that the NPS should be willing to share with visitors, who can then make their own decisions. They feel that this is consistent with NPS policy which allows for acknowledging alternative points of view, and it causes no harm.

As explained in the attached "Background Information and Analysis":

- The preponderance of NPS policy weighs heavily against carrying the book in NPS bookstores.
- The book aggressively promotes a particular religious viewpoint, presents it as science, and repudiates any science that does not conform to that viewpoint.
- Continuing to allow the sale of the book may make it difficult
 - for GRCA to turn down another author's or publisher's request to sell their books in park bookstores.
 - for other parks with a mission focus on geology or paleontology to deny the sale of this book.
- Continuing to allow the sale of the book may attract legal challenges on Constitutional grounds. (A challenge may also occur if the book is removed.)

Decision Alternatives

The superintendent asked about the appropriateness of the book as a sales item in a national park. After extensive consideration, a range of possible responses is listed below. (b) (5)



Decision [or supplemental findings] _____

Attachment

**Background Information and Analysis
-- the Grand Canyon Creationist Book**

- 1. Introduction**
- 2. The Bible as a Starting Point**
- 3. The Argument for Science**
- 4. Relevant NPS Policies**
- 5. Summary and Conclusion**

1. Introduction

In 2004, Grand Canyon Superintendent Joseph Alston asked that the Washington Office review the book, "Grand Canyon – A Different View," in terms of its appropriateness as a sales item in a national park. The request was prompted by a controversy over the book's explanation of how the canyon was created. The book offers a Bible-based worldview that repudiates prevailing scientific theories and promotes, instead, a very different theory on the origins of the canyon. The American Geophysical Union and several other prominent scientific organizations contend that the book aggressively attacks modern science and broadly accepted interpretations of the geologic history of the Grand Canyon. They have expressed concern that offering the book for sale within a national park implies that the NPS supports or endorses that point of view.

In addition to concerns about the book's scientific inaccuracies, questions have been raised as to whether sale of the book in a national park bookstore violates the First Amendment's prohibition against establishment of religion. Conversely, others have expressed the opinion that the book merely represents an alternative view that the NPS should be willing to share with visitors, who can then make their own decisions.

To decide whether the book is or is not appropriate, we must first decide which policies apply. This, in turn, requires that we determine whether the book's subject matter is religion or science (or both).

We have reviewed the book and the opinions that have been offered by individuals and representatives of organizations who have written on the matter. We have also discussed the issues with attorneys in the Solicitor's Office and numerous NPS managers and subject matter experts, and offer the following summary and analysis.

2. The Bible as a Starting Point

The book repeatedly challenges what it terms "evolutionary theories" as those theories are commonly brought to bear to explain the geophysical phenomena of the Earth in general, and the Grand Canyon in particular. For the most part the book relies instead on a literal interpretation of the Book of Genesis to explain these things. The book's introduction states: "As you read this book, you will see that we look at the Canyon from a biblical worldview. With that in mind, there is one basic premise, or framework, used as a starting point. That premise is: the Bible, in its original form, is the inerrant Word of God." (p. 7) The book goes on to state:

... Scripture tells us that God created the heavens and earth, and everything in them in six literal days. Based on the lineages laid out in the Bible and other historical documents, this occurred about 6,000 years ago. The vast majority of the sedimentary layers we see in the Grand Canyon, and in the rest of the world for that matter, were deposited as the result of a global flood that occurred after, and ultimately as a result of, the initial sin that took place in the Garden of Eden. And the fossils found in the rock layers are remnants of the plants and animals that perished in the Flood. (p. 8)

The theories that the author sets forth are premised on the unerring word of the Bible. The book's credits indicate that "[a]ll contributions have been peer-reviewed to ensure a consistent and biblical perspective." However, in a departure from standard practice of peer review as an arena to contest ideas, the peer review community seems to have been limited to only those who agree with the book's basic premise. The book's chapters begin with observations about the canyon's rocks, fossils, water, and other natural features and phenomena, all attributed to God's work as revealed in the Book of Genesis. The viewpoints of Christians and others who do not believe that the world was created in six days, or who believe the world is more than a few thousand years old, are dismissed. The book aggressively repudiates any tenets of modern science that do not comport with the biblical viewpoint.

3. The Argument for Science

Some of the book's contributors contend that their theories are based on scientific understandings in addition to biblical interpretations. Contributor Henry Morris says: "For those Christians who believe that Genesis (like the other historical books of the Bible) should be understood as literal history, it has therefore been necessary to show the fallacies in the so-called 'scientific proofs' of an old earth." (p. 17)

Gary Parker, another contributor, states:

When biblical creationists/flood geologists offer explanations for the rock layers in the Grand Canyon, they appeal to neither biblical authority (the Bible doesn't mention the Grand Canyon) nor to mystical or supernatural processes. They appeal, instead, directly to the evidence we can see, touch, and measure. That evidence seems to suggest that processes we do understand, like turbidity currents, explain what we see—except that the evidence also tells us that the scale was regional, continental, or even global, not just local. (p. 25)

Throughout the book, alternative, biblically-based theories are offered in challenge to the more prevalent scientific theories and understandings regarding the origin of the canyon's physical qualities.

However, one aspect of the book that contradicts the claim that it simply offers the reader another (non-religious) point of view is the way the book quotes scripture to actively encourage readers to reject the "evolutionary theories." For example, the frontispiece quotes Colossians 2:8: "See to it that no one takes you captive through philosophy and empty deception, according

to the tradition of men, according to the elementary principles of the world, rather than according to Christ.”

a. NPS scientists. Subject matter experts within the Service (specifically, those in the Geologic Resources Division) do not regard the book’s theories as being grounded in science. They recommend that the book not be sold in park bookstores because the book purports to be science when it is not, and its sale in the park bookstore directly conflicts with the Service’s statutory mandate to promote the use of sound science in all its programs, including public education.

b. Prominent scientific organizations. A December 16, 2003, letter to Superintendent Alston from prominent members of the “established” scientific community further helps us determine whether the book is a “science” book. The letter states:

The book * * * makes claims about the age of the rocks and the formation of the canyon that are at odds with the well-documented scientific understanding of Earth history. The book is not about geology but, rather, advances a narrow religious view about the Earth. * * * The book aggressively attacks modern science and broadly accepted interpretations of the geologic history of the Grand Canyon.

This statement was signed by the presidents of the Paleontological Society, the American Geophysical Union, the National Association of Geoscience Teachers, the Association of American State Geologists, the Society for Vertebrate Paleontology, the American Geological Institute, and the Geological Society of America. It would be difficult to find more authoritative sources for evaluating the book’s scientific merits.

c. The National Academy of Sciences. The National Academy of Sciences (NAS) was created by the Federal government to be an adviser on scientific and technological matters. The NAS would therefore be a more authoritative source, but it has not directly addressed this particular book. However, it has addressed creationism more generally in a publication entitled “Science and Creationism: A View from the National Academy of Sciences.” The publication states:

There are no valid scientific data or calculations to substantiate the belief that Earth was created just a few thousand years ago. * * * Independent scientific methods consistently give an age for Earth and the solar system of about 5 billion years * * *. These conclusions make the origin of the universe as a whole intelligible, lend coherence to many different branches of science, and form the core conclusions of a remarkable body of knowledge about the origins and behavior of the physical world. (p.7)

Nor is there any evidence that the entire geological record, with its orderly succession of fossils, is the product of a single universal flood that occurred a few thousand years ago, lasted a little longer than a year, and covered the highest mountains to a depth of several meters. On the contrary, intertidal and terrestrial deposits demonstrate that at no recorded time in the past has the entire planet been under water. Moreover, a universal flood of sufficient magnitude to form the sedimentary rocks seen today, which together are many

kilometers thick, would require a volume of water far greater than has ever existed on and in Earth, at least since the formation of the first known solid crust about 4 billion years ago. The belief that Earth's sediments, with their fossils, were deposited in an orderly sequence in a year's time defies all geological observations and physical principles concerning sedimentation rates and possible quantities of suspended solid matter. (p.8)

Creationism, intelligent design, and other claims of supernatural intervention in the origin of life or of species are not science because they are not testable by the methods of science. These claims subordinate observed data to statements based on authority, revelation, or religious belief. Documentation offered in support of these claims is typically limited to the special publications of their advocates. These publications do not offer hypotheses subject to change in light of new data, new interpretations, or demonstration of error. This contrasts with science, where any hypothesis or theory always remains subject to the possibility of rejection or modification in the light of new knowledge. (p.25)

A series of questions and answers derived from a 1998 NAS publication on evolution and creationism is attached as an appendix to this background paper.

d. The Federal courts. The question of whether “creation science” is indeed science has also been addressed in a number of court decisions, which have uniformly found creation science to be dependent on religious doctrine. While these cases have generally centered on the teaching of creation science in public schools (and not in parks), they are nevertheless instructive as we try to sort through the questions we now face. The McLean v. Arkansas Board of Education decision is especially notable because it gives a detailed definition of the term “science.” According to the district court:

[T]he essential characteristics of science are:

- (1) It is guided by natural law;
- (2) It has to be explanatory by reference to natural law;
- (3) It is testable against the empirical world;
- (4) Its conclusions are tentative, i.e., are not necessarily the final work; and
- (5) It is falsifiable. (529 F. Supp. 1255, 1267 (E.D. Ark. 1982))

The court concluded that creation science depends on a supernatural intervention not guided by natural law, is not explanatory by reference to natural law, is not testable, and is not falsifiable; and it therefore fails to meet the essential characteristics of science. The court also said: “The conclusion that creation science has no scientific merit or educational values as science has legal significance in light of the Court’s previous conclusion that creation science has, as one major effect, the advancement of religion.” (Id. at 1272.)

e. Religion, and Not Science. The “science” promoted in the book does not exhibit the characteristics of science as generally accepted within the scientific community and recognized by Federal courts. Its contents would not pass muster under the normal peer review to which scientific theories are subjected. Moreover, the scientific explanations offered in the book are shaped entirely by a desire to find a scientific explanation for the Grand Canyon that would

comport with the literal word of the Bible. It seems clearly to be religious doctrine, rather than scientific doctrine. Taking into account the views of the various courts, the scientific societies, and scientists within the NPS, we must conclude that the book is about religion, not science.

4. Relevant NPS Policies and Procedures

a. The National Park Service and Religion. If the NPS is willing to acknowledge alternative points of view—including points of view that do not reflect current scholarship and science—does that willingness also extend to points of view that are based on biblical or other religious beliefs? Although the Service does not have a policy that deals explicitly with religion or the sale of religious merchandise, there is a clear understanding that occasional discussion of religion is unavoidable in the course of NPS educational and interpretive activities. Park visitors often raise questions about the relationship between park resources and religious ideas or ideals. (In addition, the Service is charged with the care and interpretation of many religious structures and symbols that exist throughout the national park system; e.g., Old North Church, San Antonio Missions, Ebenezer Baptist Church.) However, the discussions must take place in a manner that neither advances nor inhibits the establishment of religion. This means that Federal employees, while performing their duties, cannot espouse or promote religious viewpoints, through either their face-to-face communication with park visitors or through the reading materials they make available to visitors. But there is a difference between espousing or promoting, and merely acknowledging or explaining.

For example, when there is a strong Native American association with a particular park's resources, and the public is interested in that association, park employees routinely provide information about Native American spiritual beliefs and connections to the park (and cooperating association bookstores sell literature on the subject). But the information is not, and cannot be, presented in a way that would suggest the NPS endorses or ascribes to those beliefs. Nor would park staff suggest to visitors that all points of view necessarily have equal validity. NPS policy requires that park interpretive programs be based on current scholarship and science, and not all points of view meet that standard.

Obviously, this aspect of NPS policy hinges to a great extent on interpretations of the Constitution's Establishment Clause, for which we must turn to the Solicitor's Office for advice. In addition to the considerations mentioned previously in "The Federal Courts" section, above, our attorneys have advised us that there are three basic legal concerns. Would our sale of the book (1) serve a secular purpose, (2) impermissibly promote or inhibit the free exercise of religion, or (3) create an excessive entanglement of the NPS in religion?

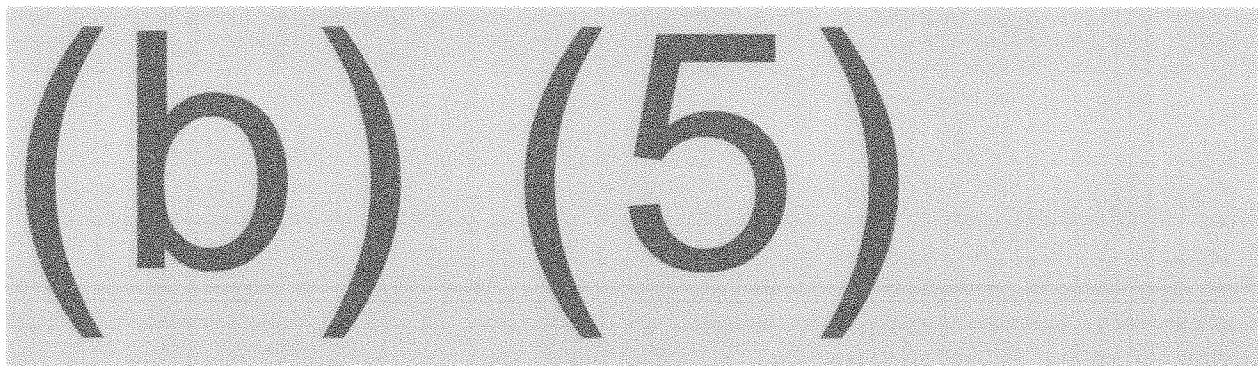
b. What Type of Merchandise May Cooperating Association Bookstores Sell? The next question is whether it is appropriate to sell a "religious" book in cooperating association bookstores. The bookstore in this particular situation is managed by the Grand Canyon Association (GCA). The GCA is an NPS "partner" under authority of 16 U.S.C. 17j-2(e), which authorizes the NPS to work "in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary of the Interior may designate." The GCA describes itself as:

a non-profit organization established in 1932 to support education, research, and other programs for the benefit of Grand Canyon National Park and its visitors. GCA operates bookstores throughout the park, publishes books and other materials related to the Grand Canyon region, supports wildlife surveys and other research, funds acquisitions for the park's research library, and produces a wide variety of free publications and exhibits for park visitors.

The NPS views cooperating associations as adjuncts to its educational and interpretive programs. The basic NPS policy governing educational and interpretive activities is found in chapter 7 of *NPS Management Policies 2006*. Section 7.1 states that "Factual information presented will be current, accurate, based on current scholarship and science, and delivered so as to convey park meanings, with the understanding that audience members will draw their own conclusions." Cooperating associations operate under formal agreement with the Service and are subject to this policy, as well. Additional operational policies applicable to cooperating associations are found in Director's Order #32, with further guidance on evaluating sales items provided in Reference Manual 32.

Cooperating association bookstores are like typical commercial bookstores in that they have limited shelf space and can carry only a small percentage of the literary works available. However, unlike commercial bookstores, they do not have the right to sell any publication they may wish to sell. Rather, in accordance with 16 U.S.C. 17j-2(e), cooperating association bookstores are required to focus on science, history, and education; and they must do this in accordance with standards that are set by the NPS. As prescribed by Director's Order #32 (in section 3.5.3a), "[i]tems sold in park areas, through mail order catalogs, and at off-site sales outlets * * * must be approved in advance by the superintendent for appropriateness, price, quality, interpretive value, and accuracy." [The reader is then referred to RM-32 for additional guidance.] These criteria were established to help ensure that sales outlet activities remain true to the cooperating association mission of supporting the educational and interpretive activities of the parks. In essence, they reinforce the premise that a cooperating association is an extension of the NPS. The policies contained in Director's Order #11B are aimed at ensuring the quality of information disseminated by the NPS, which would include sales items approved by the NPS.

5. Summary and Conclusion



(b) (5)

Attachments:

1. August 13, 2003, memorandum from GRCA superintendent
2. December 18, 2003, letter from American Geological Institute (attaching a December 16, 2003, letter from the presidents of seven geoscience organizations)
3. National Academy of Sciences FAQs about Evolution and the Nature of Science
4. January 9, 2004, letter from Alliance Defense Fund
5. January 25, 2004, memorandum from NPS Geologic Resources Division
6. InsideNPS *Forum* text thread: *Interpreting to Creationists*
7. Applicable NPS Policies and Procedures

Grand Canyon NP Bookstore Sale of the Creationist Book

--Applicable National Park Service Policies and Procedures--

[All text shown below is quoted from the noted sources. However, to keep the volume manageable, some less relevant material has been excised.]

- A. From Management Policies 2006**
 - B. From Director's Order #32: Cooperating Associations**
 - C. From Reference Manual 32**
 - D. From Director's Order #11B: Ensuring Quality of Information Disseminated by the NPS**
 - E. From Director's Order #6: Interpretation and Education**
-

A. From Management Policies 2006

1. Section 7.1 Interpretive and Educational Programs.

Every park will develop an interpretive and educational program that is grounded in (1) park resources, (2) themes related to the park's legislative history and significance, and (3) park and Service-wide mission goals. The intent will be to provide each visitor with an interpretive experience that is enjoyable and inspirational within the context of the park's tangible resources and the meanings they represent. In addition, visitors should be made aware of the purposes and scope of the national park system.

Interpretation will encourage dialogue and accept that visitors have their own individual points of view. Factual information presented will be current, accurate, based on current scholarship and science, and delivered to convey park meanings, with the understanding that audience members will draw their own conclusions. Interpretation will also reach out to park neighbors, segments of the population that do not visit national parks, and community decision-makers to stimulate discussions about the park and its meanings in local, regional, and national contexts. In addition, interpretive services will help employees better understand the park's history, resources, processes, and visitors.

An effective park interpretive and educational program will include

- *information and orientation programs* that provide visitors with easy access to the information they need to have a safe and enjoyable park experience;
- *interpretive programs* that provide both on- and off-site presentations and are designed to encourage visitors to form their own intellectual or emotional connections with the resource. Interpretive programs facilitate a connection between the interests of visitors and the meanings of the park;
- *curriculum-based educational programs* that link park themes to national standards and state curricula and involve educators in planning and development. These programs include previsit and postvisit materials, address different learning styles, include an evaluation mechanism, and provide learning experiences that are linked directly to clear objectives. Programs develop a thorough understanding of a park's resources in individual, regional, national, and global contexts and of the park's place within the national park system; and
- *interpretive media* that provide visitors with relevant park information and facilitate more in-depth understanding of—and personal connection with—park stories and resources. This media will be continually maintained for both quality of content and condition based upon established standards.

2. Section 7.2 Interpretive Planning.

General management plans and comprehensive interpretive plans (CIPs) will serve as the backbone of interpretive and educational program planning and direction. The CIP process will guide park staff in defining themes, determining desired visitor experience opportunities, identifying challenges, and recommending which stories to tell, how to tell them, and how to reach specific audiences. All interpretive and educational services, including personal services, interpretive media, and partnerships that work to support the delivery of interpretive and educational programs, will be based on and coordinated with the comprehensive interpretive plan. The resulting parkwide interpretation and education program will thus communicate park significance and meanings in the most effective and efficient way. Recognition that concessioners, cooperating associations, friends groups, and other partners may have an important role in providing interpretive and educational services will be most important in planning for the overall visitor services program, and such entities should be included where appropriate in the planning process.

The CIP process will be initiated by superintendents. The life span of a CIP will be seven to ten years. Superintendents and chiefs of interpretation will be accountable to ensure that their parks have a completed and current comprehensive interpretive plan as defined in Director's Order #6 and Reference Manual 6. Harpers Ferry Center and regional offices will provide support.

3. Section 7.5.6 Consultation.

The National Park Service will present factual and balanced presentations of the many American cultures, heritages, and histories. Diverse constituencies will be consulted to (1) ensure appropriate content and accuracy, and (2) identify multiple points of view and potentially sensitive issues. When appropriate, state and local agencies involved in heritage tourism and history (such as state historic preservation officers) should be included in consultations to foster coordination and partnerships. Acknowledging multiple points of view does not require interpretive and educational programs to provide equal time or disregard the weight of scientific or historical evidence.

Park managers will take culturally sensitive steps to preserve the knowledge of American Indian tribes and other traditionally associated peoples and secure the benefit of their deep understanding of the nature and spirit of places within the parks by encouraging their participation in park activities. A related goal will be to ensure that irreplaceable connections such as place names, migration routes, harvesting practices, prayers, and songs are cataloged for use in current and future activities.

The Service will respectfully consult traditionally associated peoples and other cultural and community groups in the planning, development, presentation, and operation of park interpretive programs and media relating to their cultures and histories. Cooperative programs will be developed with tribal governments and cultural groups to help the Service present accurate perspectives on their cultures. Ethnographic or cultural anthropological data and concepts will also be used in interpretive programs.

4. Cooperating Associations.

When appropriate, cooperating associations will join the National Park Service in presenting interpretive and educational programs and supporting research efforts as authorized in 16 USC 1-3, 6, and 17j-(2)e. In accordance with the standard, nonnegotiable cooperating association agreement, cooperating associations may, consistent with a park's scope-of-sales statement, purchase for resale, or produce for sale, interpretive and educational items that are directly related to the understanding and interpretation of the park or the national park system. Associations may offer appropriate and approved interpretive

services that support but do not supplant interpretive and educational services offered by the Park Service. Associations may accept donations on behalf of the Service when appropriate and when conducted through approved fund-raising efforts. Service housing may be used for cooperating association employees only if available and not needed for NPS employees. Guidance for managing NPS partnerships with cooperating associations is included in Director's Order #32 and Reference Manual 32.

B. From Director's Order #32: Cooperating Associations

1. **Section 3.5.2.1b** Sales must support the purposes of Associations as stated in their articles of incorporation.

2. **Section 3.5.3a** Items sold in park areas, through mail order catalogs, and at off-site sales outlets (excluding those sales outlets operated by an Association in partnership with other government entities) must be approved in advance by the superintendent for appropriateness, price, quality, interpretive value, and accuracy. For additional information refer to RM-32.

C. From Reference Manual 32

1. Sales Activities

a. **General Requirements.** The standard Cooperating Association Agreement authorizes an association to sell approved interpretive and educational items in areas of the National Park System and, by extension, through mail-order, electronic commerce, and off-site locations. A concessions permit is required for an association to sell non-interpretive/educational items, considered to be visitor conveniences.

The purpose of association sales activities is to provide the public with interpretive and educational materials related to the National Park System, the Service, and themes or resources related to individual units of the System. Interpretive materials provide valuable information before, during, or after a visit and also relate a park's mission to individuals not able to personally visit the park. The sale of interpretive materials can also generate revenues for other association programs and activities in support of the Service.

The sale of interpretive materials is integral to a park's interpretive program. An effective interpretive program will provoke visitor interest and stimulate curiosity regarding the park, its mission, and themes. The sale of educational materials by an association provides visitors the opportunity to gain further information to satisfy that curiosity.

All sales outlets operated by associations must further the educational, interpretive, and related purposes of the association as stated in its Articles of Incorporation. Association management should be familiar with the Internal Revenue Code pertaining to Unrelated Business Income Tax (UBIT), which establishes the parameters for relatedness of sales items (and other non-retail activities) to an exempt organization's mission. Revenue derived from unrelated activities, including sales, may be subject to state and federal income taxes. Failure to comply with the Internal Revenue Code could result in serious repercussions, including fines, penalties and the revocation of the association's tax-exempt status.

b. **Association Publications.** One of the important functions of associations is to supplement the official National Park Service publications program by providing visitors with appropriate, high-quality,

informational literature not otherwise available through the Service. Parks and associations should work together to identify such needs.

2. Sales Item Review Process and Approval

The park cooperating association coordinator, working with the association staff, should assume the primary responsibility for reviewing sales items. This person is responsible for coordinating the timely review of sales items by appropriate subject matter specialists and the superintendent. No employee in charge of this process should have a financial or proprietary interest in the item.

Use of a simple pre-printed review form can facilitate the reviewer's response and provide consistency and objectivity in the review of potential sales items. Such a document enables the interpretive staff and the association to provide information to the superintendent in an organized manner, thereby expediting the process and assisting the superintendent in making an informed decision. Suggested fields of information on the review form include: submission date, product description, author (if a publication), thematic reference, interpretive text to be attached to product (if applicable), vendor information, proposed retail price, ISBN/style information, Universal Product Code (UPC) numbers, space for additional association comments, space for Service comments, a place to indicate approval or disapproval of the item, space to indicate reasons for disapproval, if applicable, and a place for the superintendent's initials or signature. The form may also include a checklist of evaluation categories, such as "appropriateness," "quality of materials," "fair price," etc. (See Evaluation Criteria for Sales Items.) A sample review form is included in the Appendix.

When choosing a method of documenting approval of sales items, the partnership should select a method that is suited to local circumstances. Whatever the method, copies of the review form or other written record of sales item approval should be retained by both partners.

The park superintendent must approve each new sales item added during the year on a case-by-case basis. However, to document prior approvals and simplify records retention, a complete list of the prior year's sales items may be submitted to the park superintendent.

The frequency at which sales items may be submitted for approval to the Service should be agreed upon by the partnership, whether daily, weekly, or less frequently. It is important to understand that the more frequent the review, the more responsive an association can be to market trends and new products as they become available.

The association may at any time make a written request for sales item approvals. Failure by the Service to respond within thirty (30) days of receipt of such written request shall constitute approval. For items approved in this manner, the association should limit the inventory investment in the product until the formal product review is complete.

a. Evaluation Criteria for Sales Items

The selection of appropriate sales items for a cooperating association operation should be approached in a conscientious and objective manner. The goal of the partners should be to provide a cross-section of interpretive items, price points, and audience interests. (See Sales Planning/Scope of Sales.) In addition, reviewers should remember that associations have a privileged position in Service facilities. Should the approval or disapproval of sales items be challenged by vendors, authors, or others, the reviewers' decisions should be clearly documented and justified.

Reviewers (park and association) should be able to answer “yes” to the following questions before approving an item:

- Is the content of the item appropriate, as the term “appropriate” is understood by the Service and the association?
 - Does the item directly support the park’s interpretive themes and/or provide needed site orientation?
 - Is there assurance that the item does not promote unsafe or resource-damaging activities?
 - Does the item use accurate, professional, and scholarly knowledge?
 - Does the item fit into the overall balance of interpretive sales items?
 - Is the item’s quality of production, packaging, and durability appropriate to the quality of the park resources?
 - Is the item fairly priced?
 - Is the item appropriate for economic reasons?
 - Is the item competitive enough with other approved items to warrant shelf space?
 - Will the concessioner’s preferential rights be respected?
-

D. From Director’s Order #11B: Ensuring Quality of Information Disseminated by the NPS

1. Section I. Background and Purpose

The purpose of this Director’s Order is to establish National Park Service (NPS) guidelines to comply with [OMB’s policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies].

2. Section III. Information Quality Standards

Examples [of NPS information] include the parks’ history, functions, and legislative authorities; organizational charts, the offices within the parks and their functions; the parks’ strategic and performance plans and their budgetary information; and information pertaining to the parks’ history, natural and cultural resources and administrative processes. All information disseminated by the NPS must comply with basic standards of quality to ensure and maximize the objectivity, utility, and integrity of information disseminated to the public.

3. Section III.B. Accuracy and Timeliness

All information will be accurate, timely, and reflect the most current information available.

4. Section III.D Third Party Information under the Guidelines

These standards of these guidelines apply not only to information that NPS generates, but also to information that other parties provide to NPS, if NPS disseminates or relies upon this information.

E. From Director's Order #6: Interpretation and Education (which was approved prior to adoption of Management Policies 2006)

1. Section 1. Background and Purpose

The purpose of this Director's Order is to supplement *Management Policies* with operational policies and procedures necessary to maintain effective, high-quality interpretive and educational programs.

2. Section 8.4.1. In General. Quality interpretive programs and media require sound research. The content of interpretive and educational services must be accurate, inclusive, respect multiple points of view and be free of cultural, ethnic, and personal biases. However, in accordance with section 7.5.5 of Management Policies [section 7.5.6 of MP(2006)], "[a]cknowledging multiple points of view does not require interpretive and educational programs to provide equal time, or to disregard the weight of scientific or historical evidence." Programs presented by cultural demonstrators should be introduced as clearly representing the particular culture being presented.

3. Section 8.4.2. Historical and Scientific Research. Superintendents, historians, scientists, and interpretive staff are responsible for ensuring that park interpretive and educational programs and media are accurate and reflect current scholarship. To accomplish this, an on-going dialogue must be established. Questions often arise round the presentation of geological, biological, and evolutionary processes. The interpretive and educational treatment used to explain the natural processes and history of the Earth must be based on the best scientific evidence available, as found in scholarly sources that have stood the test of scientific peer review and criticism. The facts, theories, and interpretations to be used will reflect the thinking of the scientific community in such fields as biology, geology, physics, astronomy, chemistry, and paleontology. Interpretive and educational programs must refrain from appearing to endorse religious beliefs explaining natural processes. Programs, however, may acknowledge or explain other explanations of natural processes and events.